

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X  
Queen Pinjeh Godiah UMISS  
Paynes El-Bey

Write the full name of each plaintiff.

20CV0524(MKV)  
(Include case number if one has been assigned)

-against-

AMENDED

Crocalla, Cona, Michel, Portor, Volla, Ward COMPLAINT  
Metropolitan Authority Policy Benevolent Association Do you want a jury trial?  
Police Benevolent Association Metropolitan Transportation Authority  
NYTA, MTA 34 Precinct @ Penn Station, The City of NY, NY State, Bellevue Hospital  
Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.  
HOSPITAL & BELLEVUE HOSPITAL  
Staffs.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

Federal Question

Diversity of Citizenship

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Ny  
Penal Law § 240.21-240.32 First & Second Degree Harassment,  
First Degree Aggravated Harassment, 2nd Aggravated Harassment,  
Police Brutality, Police Misconduct § 12601, Unlawful Conduct  
Constitutional Right, 42 US § 14141, Color Laws, Racial Profiling, Civil Rights Violations  
Title 18, U.S.C. § 242, False Arrest/ Detained Breach of Peace, Retaliation  
B. If you checked Diversity of Citizenship Mis-treatment by SW P.D.

#### 1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff New York,  
(Plaintiff's name), is a citizen of the State of

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant Lyland C Croilla,  
(Defendant's name) is a citizen of the State of

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If the defendant is a corporation:

The defendant MTA Police officer, is incorporated under the laws of  
the State of New York  
and has its principal place of business in the State of NY City/NY  
or is incorporated under the laws of (foreign state)  
and has its principal place of business in New York, NY

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Queen'Prinjah Godish Wm Payne's El-Bey  
First Name Middle Initial Last Name  
40 One Street Apt 2BA  
Street Address  
New York Ny 10038  
County, City State Zip Code  
(313) 241-0318 Telephone Number Email Address (if available) Prinjah Godish Courts@gmail.com

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

<u>MTA</u>	First Name	Last Name	Current Job Title (or other identifying information)	ASSISTANT COME ASSOCIATE
Attention Jason Douglas Barnes			Current Work Address (or other address where defendant may be served)	C 21.85
2 Broadway			County, City	NY
			State	NY
			Zip Code	10004

Defendant 2:

<u>MTA 37 Precent@PennStation</u>	First Name	Last Name	Current Job Title (or other identifying information)
MTA New York City Transit			Current Work Address (or other address where defendant may be served)
Interim President			County, City
2 Broadway			State
			Zip Code
New York			10004

Defendant 3:

<u>The City of New York</u>	First Name	Last Name	Current Job Title (or other identifying information)
City of New York, Attn: Corporation Counsel			Current Work Address (or other address where defendant may be served)
100 Church St, 5th Floor	County, City	State	Zip Code

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

Ems Ward T.D. # 2396

First Name

Last Name

Current Job Title (or other identifying information)

1264 Boston Road Bronx NY 10456 on

Current Work Address (or other address where defendant may be served)

FONY Bureau of legal Affairs 9 Metro Tech Center 4th flr

County, City

State

Zip Code

Brooklyn NY 11201

Defendant 2:

Metropolitan Authority Police Benevolent Association

First Name

Last Name

(61) 3238930 Union MTA Police Benevolent ASS.

Current Job Title (or other identifying information)

165 North Village Av, Rockville Centre,

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

NY Rockville Centre NY 11570

Defendant 3:

State Attorney General

First Name

Last Name

Current Job Title (or other identifying information)

Albany NY 1224-0341

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

(800) 771-7755

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:		
First Name	Last Name	Administrative Counsel Ford House
Office Building		
Congress/USA Congress/Congress		
Current Job Title (or other identifying information)		
217 Ford House Office Building Room 217		
Washington DC 20515		
County/City	State	Zip Code
Defendant 2: U.S.A. Supreme Court		
First Name	Last Name	
Supreme Court of the United States		
1st Street NE		
Current Job Title (or other identifying information)		
Washington DC 20543		
County/City	State	Zip Code
Defendant 3: Stephanie Miroglio		
First Name	Last Name	
Deputy Chief		
Current Job Title (or other identifying information)		
Plaza Room 755		
New York, NY 10013		
County/City	State	Zip Code

*L Hogan*

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

M.N.Y

Defendant 1:

Dr. Porter MD # 846516

First Name

Last Name

Current Job Title (or other identifying information)

Medical Personnel/Doctor/ Attention Legal

462 First AV

Current Work Address (or other address where defendant may be served)

NY

NY

10016

County, City

State

Zip Code

Defendant 2:

Bellevue Hospital

First Name

Last Name

Attention forward legal Department

Current Job Title (or other identifying information)

160 Water St NY 10041

Current Work Address (or other address where defendant may be served)

462 First AV NY NY 10016

County, City

State

Zip Code

Bellevue

Defendant 3:

Jessica Bonnie Porter, MD

First Name

Last Name

Bellevue Hospital

Current Job Title (or other identifying information)

160 Water St New York

Current Work Address (or other address where defendant may be served)

NY 10041

County/City

State

Zip Code

462 First AV  
NY NY 10016

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

<u>Aides</u>	<u>Rose Shapiro MD</u>
First Name	Last Name
<u>ED Supervisory @ Bellevue</u>	
Current Job Title (or other identifying information)	
<u>462 First Av NY</u>	
Current Work Address (or other address where defendant may be served)	
<u>NY</u>	<u>NY 10016</u>
County, City	State
Zip Code	

Defendant 2:

<u>Amy A Costa</u>	
First Name	Last Name
<u>forward to legal Social Worker @ Bellevue.</u>	
Current Job Title (or other identifying information)	
<u>462 First Av</u>	
Current Work Address (or other address where defendant may be served)	
<u>NY</u>	<u>NY 10016</u>
County, City	State
Zip Code	

Defendant 3:

<u>Marina Rosa Cabaya</u>	
First Name	Last Name
<u>RN @ Bellevue</u>	
Current Job Title (or other identifying information)	
<u>160 Water St</u>	<u>462 First Av</u>
Current Work Address (or other address where defendant may be served)	
<u>NYC 10001</u>	<u>NY NY 10016</u>
County, City	State
Zip Code	
<u>462 First Av</u>	
<u>NY</u>	<u>NY 10016</u>

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

District Attorney, Public Corruption Unit  
 First Name Civil Rights Division, Office of Civil Rights Unit Last Name  
86 Chambers Street, 3rd Floor Current Job Title (or other identifying information)  
New York, NY 10007 Current Work Address (or other address where defendant may be served)  
637-2700 County, City State Zip Code (212)

Defendant 2:

Police Accountability Unit  
 First Name Affection the National Police Accountability Last Name  
499 Fashion Av Current Job Title (or other identifying information)  
NY NY 10018 Current Work Address (or other address where defendant may be served)  
637-2700 County, City State Zip Code

Defendant 3:

Department of Justice (DOJ)  
 First Name United States State Attorney's Office Southern District Last Name  
Civil Division, 86 Chambers 3rd Floor Current Job Title (or other identifying information)  
New York, NY 10007 Current Work Address (or other address where defendant may be served)  
637-2700 County, City State Zip Code

Forward to legal

### B. Defendant Information

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Defendant 1:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 2:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 3:

Department of Justice

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

(202) 353-1555

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

MJA Weller  
Defendant 1: H. Cope 10# 63

First Name

Last Name

Lieutenant Police for Mtn

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 2:

First Name

Last Name

R. Michels

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 3:

First Name

Last Name

Vollas 10# 414

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

MJA W/er  
Defendant 1:H. Cope

First Name

ID# 63

Last Name

Ltenant Police for Mtn

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 2:

Michels

First Name

Last Name

Po ID# 4012 work@Mtn Police Off

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 3:

VillasID# 414

First Name

Last Name

Patrol Supervisor for Mtn

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

Defendant 4:

First Name

Last Name

Cely Hall

Current Job Title (or other identifying information)

New York - NY 10007

Current Work Address (or other address where defendant may be served)

NY  
County, City

NY 10007  
State Zip Code

### III. STATEMENT OF CLAIM

Place(s) of occurrence: 345 Street Penn Station N.Y.

Date(s) of occurrence: Between 1/8 & 1/9, 2020

#### FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Please See Attachment Paperworks  
That Attached with This Amended  
Complain

I want those Staffs that put lies in my medical Record to be file for false informations since the staffs @ Psychward force me after plead the sh several times I was told if I refused to answer their question they will admit me to psychward force me to take medications until I refused my answer and to answer their questions and when I did answer their question after I threaten to sue them they turns in lie in order to cover themselves, they had illegally kidnapped me against my will

Was hit in the Head By Officer Crocilla Bottom Hand Cuffs & Was kick over & over again in The Side 11<sup>th</sup> times To Be exact. Was ASSAULTED By MTA Officer Crocilla. My feet Big Toe-Nails Broke & I had to have it Surgically/Surgery Remove Still To This day That Nail its Been Treated By FOOT Doctor, also AM Being Treated with PTSD, Chronic DEPRESSING, emotion.

INJURIES: DURESS Since the ASSAULT of that Day

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

I want the Unions that Cover Those individual(s) party(ies) To do a better job Protecting the public(s) From those individual(s) Bad BEHAVIORS, Especially Union Police Benevolent Assoc still have a Protecting officer(s) Crocilla & MTA that Granting those officer(s) to Continue abuse their Powers to the PUBLIC(s)

IV. RELIEF State briefly what money damages or other relief you want the court to order.

I wants CRIMINAL charges Brought AGAINST Officer Crocilla also for him to be Fired never come/Came Near Citizens Personal Records and I wants all whom's Part Taking of Officer Crocilla to be Fired never work in their field Please see Documents on what Demands \$88 from Each Party(ies) involve Before accepting from each party(must be signed) non-settlement Agreement Page 6 change

## V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

Dated

Sept 9, 2021  
Queens

Street Address

County, City

(313) 241-0318

Telephone Number

Plaintiff's Signature

Last Name

State

Zip Code

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

Yes    No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

United States District Court  
Southern District Of New York

-----X

20-CV-0524(MKV)  
Amend Complain  
According to  
Mary Kay Vyskocil

Prinya Godiah NMIAA Payne's El-Bey

Plaintiff

-Agianst-

Defendant's:

Crocilla, Cona, Michels, Porter, Vollas, Ward

Metropolitan Authority Police Benevolent Association & Police Benevolent Association

Metropolitan Transportation Authority, MTA & MTA 34 precinct @ Penn Station, The City Of New York, Bellevue Hospital & Staff's, et al.,

-----X

According to Judge MARY KAY VYSKOCIL, United Sates District Judge:

Order granted me the court held status conference on August 19, 2021, to amend complain in order to add additional party(ies) into the case and the correct the City Of New York with MTA:

Those are the additional name's I will amend/add into this case, even-though there were eight officers whom part taking/allowing Crocilla and his partner to abuse me on that day, but only those names seemed/were investigating under the report:

\* LT Cona id#63

\*PO Crocilla id#2477

\*PO Michels id#4012

\*DR Porter id#844510

\*SGT Vollas id#414

\*EMS Ward id#844509

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PRIMYAH GODIAL MIAA PAYNES EL BEY,

Plaintiff,

-against-

CROCILLO, MTA, and MTA 34 PRECINCT,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 8/19/2021

20-cv-524 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a status conference on August 19, 2021. This order memorializes the rulings at the conference.

The Court's Order of Service dated November 16, 2020 [ECF No. 16] is VACATED. The City of New York improperly was substituted as a Defendant in this action for the Metropolitan Transportation Administration ("MTA"). The Clerk of Court respectfully is requested to terminate the City of New York as a Defendant on the ECF docket and to reinstate the Defendants terminated by the Court's previous order. This order is without prejudice to Plaintiff adding the City of New York in any amended complaint if she seeks to assert claims directly against the city.

Plaintiff has requested [ECF No. 33] leave to file an amended complaint re-naming the MTA and Officer Crocilla as Defendants and adding new defendants. Leave to file the amended complaint is GRANTED. For the avoidance of doubt, Plaintiff's claims against the MTA will relate-back to the filing of her original complaint for the purposes of any statute of limitations. The Court will enter an Order of Service following the filing of any amended complaint.

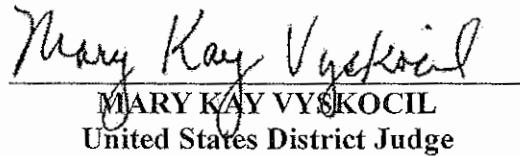
Plaintiff also has requested the appointment of pro bono counsel. The Court will provide Plaintiff by e-mail the appropriate form to request that counsel be appointed. If Plaintiff still wishes to have counsel appointed for her, she must return the form to the Court's Pro Se Intake Office, who will file it with the Court.

Defendant Crocilla's request [ECF No. 35] for an extension of time to answer or respond to Plaintiff's complaint is GRANTED. Officer Crocilla need not respond to the Plaintiff's complaint until an amended complaint is filed.

Finally, the Clerk of Court respectfully is requested to correct the spelling on ECF of Plaintiff's name to "Quee'Prinyah Godiah NMIAA Payne's El Bey" and to correct the spelling of Defendant Crocilla's name to "Leyland Crocilla".

**SO ORDERED.**

Date: August 19, 2021  
New York, NY

  
MARY KAY VYSKOCIL  
United States District Judge

United States District Court  
Southern District Of New York

-----X

20-CV-0524(MKV)  
Amend Complain  
According to  
Mary Kay Vyskocil

Prinyah Godiah NMIAA Payne's El-Bey

Plaintiff

-Agianst-

Defendant's:

Crocilla, Cona, Michels, Porter, Vollas, Ward

Metropolitan Authority Police Benevolent Association & Police Benevolent Association

Metropolitan Transportation Authority, MTA & MTA 34 Precint @ Penn Staion, The City  
Of New York, et al., *Bellevue Hospital & Staffs*

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eight officers whom part taking/allowing Crocilla and his partner to abuse me on that  
day, but only those names seemed/were investigating under the report:

* LT Cona id#63	*PO Crocilla id#2477	*PO Michels id#4012
*DR Porter id#844510	*SGT Vollas id#414	*EMS Ward id#844509
* Metropolitan Authority Police Benevolent Association & Police Benevolent Association		
Metropolitan Transportation Authority, Police Accountability Unit/ New York County		
District Attorney's Office		
* MTA	*MTA 34 Street Precinct at Penn Station NY, et, al..	

When Officer Crocilla and his partners on that day had attacked me, way before that several times:

- whenever I arrived at 34 Penn Station to wait for my friends and groups that usually meet at certain train station so we can all get together to go to our meeting place(s) for the meetings, since some Meet-Up Groups does not have their own set locations we meet certain places like Starbucks, other group members families or sometimes they rent out space for hat meeting, several times while reating at MTA trained stations/several times when I passed by to meet some of my friends that either arrived before me or I arrived before them I saw how the MTA Police Officers treated seveal none-white people, it got to the points where I started to speak up against the evil-wrongs they were doing and I started recording them, how they acts, how they approached, how their behaviors, how they treated the none-white people that passed or stand at 34 Street Penn Station so I started recording their wrongdoing and point them out their behaviors. Several Times while waiting got Harrassed by Officer Crocilla and his partners for simple waiting for friends and yes there is a video while I was on the phone with one of my meeting friends talking letting them know I arrived first and no-one shown up yet because the rules were whoever arrived first needs to group text or called the meeting head- person to let s/he know arrived first and where/what spot waiting that way everyone else can meet at one spots so we all can go together to the place together to the meeting and sometimes we rent the back of restaurants to do the meetings, that one time while I called Shawn who was going to be the person was selected to head that Financial meeting that day and we were going to meet at this spot where the D train on 33rd meet its a public place where people handg-out and it was a nice late after so he peak that spot while I arrived firs at Penn Station and was speaking to him on the phone letting him know I arrived first and I am next to teh shake-shack waiting for every-one ther Officer Crocilla & his his Partner came over starting to harassing me, using manipulations tack-ticks and Officer Crocilla and his partner drove the police golf-cart right in front of me to Harassed, violated both my Constitutional Rights & Civil Rights under the Civil Rights Protections

Laws, bullied me, abuse their powers/authorities, used his police manipulated behaviors: and so forth:

- Asking me if I need to go to spychward when he said that I took Shawn off-Mute and I told him I will called him back then started record the Officers.

According to Stephaine Minogue Assistant District Attorney who is part of the Public Corruption Unit:

Stated “I do want to let you know that both officers are still going to face disciplinary charges because of the work that Lieutenant Hosein with the MTA’s Internal Affairs Bureau did in investigating your case. The fact that we can’t go forward with criminal charges is not going to change that.”

I am indeed dishearten about such news and I planned to fight until those officers get criminal charges brought against them. I will not settle the case until the Court and/or the Judge to find ways to bring Criminal Charges against those officers for attacking me. The only way this case will be settle is when those officers are criminal charges, the laws have been broking by those officers and I was told they will be walking free the only thing they will get is disciplinary is this a joke or what?

- If I must forward this case out of state or Country to get criminal charges against those officers so I shall do.
- Why is the system and the agencies that suppose to protect the public is denying me the lawful legal rights of Due-Process by denying me access to their investigations and refused to criminally charge Officer Lyland C. Crocilla for the laws and the crimes that he had committed to me?...

➤

Justice must be served to me for the wrong that was done to me.

Harrassements.

- Yes, I do have video's of him harrassing me that day. I showed it to few of my friends and they what happened in the video, they got concerned for my safety they told me to upload it on Youtube just in-case so I did( Officer Crocilla even stalked me on my YouTube Channel I eventually had to made it private for my safety, after I showed/send the video's to Detective Derek Hossein and gave him accessed to my accounts few days later the YouTube harassment the nasty

statements posted got worst that I eventually start blocking them then force to make my account privates but kept few video's online eventually Attorney Fu told me to make them private so I did completely.

- I got so mad and irritated that those officers have the balls to harrassed anyone that is none-white and they were coming after me for calling them out.
- Several times I can hear them talking about stalk 33 rules it is this rules they have: a rules they do I notice & I observed each times I heard one of them stated if your not white in the station and your there after five mintutes your inside the Train Station they will come to you or find away/excuse to bullied, harrass you again and again until you leave or they find a way to throw you out, after I observed this few times over and over again each times I passed at the station to used the bathroom or meets-up friends or visited friends that work at the train station or going to transfer from A to 2/3 train or vice-versa or meet with Friends with friends I notice such patterns after they said the rules.
- I even brought my concerned about such to the DOJ I called and filed several complained with them each times I notice/saw something wrong yet the DOJ done nothing.
- I had a video that a retired military-vet was extremely darkskin was in-line inside the subway station near the A line train station was in-line waiting for his turned to order Subway Sandwich the line was long, I was also in line the vet he was number eight in line about six minute later those four white officers came out kept looking at him, pointing then one of them stated the rule next thing I notice they walked to the vet told him he must leave, he have to leave because he was to dark he does not belong there, they told him if he refused to leave they would arrested him for trespassing the guy said he is a retired vet one officer said he does not care then all I saw they were force him out of the line eventually they got him out as the officer white the white-shirt was forcing the vet out one white-man in the video high-five him said good job and those all white people was laughing, I shock my head asked myself how evil can you be to throw someone out in line inside a public place waiting in line to order food.

- I started speaking out that is when I started having targets in my back, and that is when the harassment started.
- Whenever they saw me, and they saw me recording them they would do body-line-block so the camera would not be able to see clearly what is going on or one of them would walk to me stood in front of the phone camera and each time I move that officer would came stood in front of the camera.
- There was this old African American homeless lady in the station and one white lady passed by her gave her some McDonald so the lady came sat next to me near shake-shack to eat the McDonald the officer kept looking at her but did not do nothing to her until one of my friend called me in the other side the second I move they walked where the African lady was sitting eating and started to threat her saying she stole the McDonald sandwich when I notice what they were doing I pulled out my phone to record when they saw I started recording and my friend was a tall white man next to me they did not came approach me but they did body block so I would not be able to video/record them good, in the video you can see they kept looking at me and I asked the African American lady if she was okay and I started talking to her she was cursing them out and I was encourage them to let them have it verbally for harassing her, when she wasn't nothing, she was extremely mad/angry she was cursing like hell.
- when I told my friend at that time, he got mad because he was visiting from Germany in NY. We lost contact because officer Crocilla stole my phones.

### **1.) Police Harassment:**

- My Question that I have for New York, New York City, MTA, Police Benevolent Association Metropolitan Transportation Authority and so-on is why do you hired/have Racist Police Officers and why do you still have them working for your company/part of your Unions especially with all those things officers have been doing and what is going on in the Media's about Police Brutality why would you keep such bad-apple-characters in your books?...

Dear New York/New York Stated/New York City you supposed to be the Example  
Stated what happen to you?...

- New York Can you honestly and truly NY stand up for real justice? ...
- N.Y. you're the first state that legalist same sex-marriage, legalist weeds, you pushed for Police Reformed laws to change yet you allowing an abuser in your book, are you for real N.Y.?

Why would you allowed NYC those officers that done the public-wrong/ill/evil attack to the public's and to someone who have pre-existed health conditions who disable that was attack by an MTA Officer and you still allow an abuser like Crocilla employ/in your Book?

- Don't you have no gusts, and no shames at all New York?
- What happen to you New York, NY you supposed to be Tuffs, NY you supposed to have balls where are your balls?...
- Why does the Union, MTA and New York allowed Crocilla and his partners of crimes who ttacked me just because they have the powers that is granted by you New York, MTA and the Union, you have empower then them to abused the public and they think/they know they can get away with it and you New York, NY refused to make them pay and be accountable for wrong-doing/or attacking innocents customer(s) just because they were born none-white. What kind of example are you setting for future Generations NY if you don't stand for Justice and do the right things?...

➤ Yet the Union Metropolitan Authority Police Benevolent Association & Police Benevolent Association Metropolitan Transportation Authority, Stephanie Minogue Deputy Chief Police Accountability Unit, MTA and the City of New York still allowed abusers work for them, for their organizations, be amongst them, where is true-Justice New York?...

You supposed to be the example state New York where is your backbones for what you preach?...

- You said you passed laws/Police Reforms laws yet you allow an abuser like Crocilla and his mafia-partners in crimes still work for your systems?...
- I used to loves and Respect New York, now all I'am seeing is New York is nothing but a corrupted state that have two different sets-of-rules: rules for thee not for them... nor those whom works for them/those whom have the

back-up of the Unions sad that you sets those rules New York and yet you yourself don't honor them.

- indeed New York shown me NY have no shames?
- By agree and allowing continued those abusers' officers like Crocilla still works for them, still have access to their systems so they can continue abused their victims and harassed their innocents' victims.
- shames, shames, shames on you all for allowing who allow those abusers to offficers like Crocilla works for your systems, is not like those innocents are being abuse over and over and over again. You allowed those officers to have access to your systems so they can continue harrassed, treating or try everything possible to silence their victims, Crocilla did that he stalked me in Social Medias to the pointed that I had to close my Social media's accounts that is why he knows and he made such lying statements about the rifle statements in his false/lies report. I owned Guns and Riffles I'm darn proud inheritance guns-NRA owner, it is my Constitutional Rights if I wants to own Guns.
- why New York, NY why?

There are currently several cases against Officer Lyland C. Crocilla shield #2477 and other officers whom abused people/individual/the public's:

➤ **Joyner v. The Metropolitan Transportation Authority et al.,**

➤ **Plaintiff:** Allen Joyner

**Defendant:** The Metropolitan Transportation Authority, MTA Police Officer Joseph Interdonati, Metropolitan Transportation Authority Police Department, MTA Police Officers John Doe #1-10, MTA Police Officer Leyland Crocilla and MTA Police Officer FNU Lomonaco

**Case Number:** 1:2021cv00080

**Filed:** January 5, 2021

**Court:** US District Court for the Southern District of New York

**Presiding Judge:** Paul A Engelmayer

**Nature of Suit:** Civil Rights: Other

**Cause of Action:** 42:1983

**Jury Demanded By:** Plaintiff

As Native American who Decided to be/part-taking of being in American citizens, we expect the police to have high-standards and we expect officers to treat us fairly and the rest of the none-white race fairly also keep us/the public that paid their salaries safe:

- Police harassment occurs when an officer arbitrarily or continually stops someone. Officers may engage in aggressive questioning of an innocent person or conduct an illegal or unwarranted search and seizure, called a "stop and frisk," without any legal basis.
  - In New York, harassment is a **crime**, and the maximum penalty is imprisonment up to four years. Each of the four types of harassment in New York has an intent element where the defendant must intend to harass,

annoy, or alarm the victim. For the more severe forms of harassment, the victim must have reasonably become apprehensive.

- The policeman or law enforcement official who caused the harassment has demonstrated a pattern of harassing behavior.
- The policeman who caused the harassment did not have probable cause or an appropriate warrant for an arrest.
- The excessive force used by the policemen caused serious injury or death.

### **New York Penal Law § 240.21 - 240.32**

#### **➤ First-Degree Harassment**

Harassment in the first degree, a class B misdemeanor, occurs when the defendant's conduct results in a victim being placed in reasonable fear of physical injury. The maximum penalty is three months' incarceration and a year's probation.

#### **➤ Second-Degree Harassment**

When someone applies physical force to another person, follows that person around in public places or engages in conduct intended to alarm or seriously annoy the person, this constitutes second-degree harassment. As in all harassment cases, the defendant must have the intent to harass, annoy or alarm the person, and the course of conduct can have no legitimate purpose. Second-degree harassment is a violation, and the maximum punishment is 15 days in jail.

#### **➤ First-Degree Aggravated Harassment**

New York saves its stiffest sanctions for first-degree aggravated harassment, a class E felony with a maximum penalty of four years' imprisonment. Defined as intentionally setting out to annoy, threaten or alarm someone because of race, color, national origin, gender, religion, age, disability or sexual orientation, the charge also needs the intent to commit one of the following acts: damage religious property, place a swastika on real property without the owner's permission, set a cross on fire in public or place a noose on real property without the owner's permission.

➤ **Aggravated Harassment in the Second Degree**

Aggravated harassment in the second degree occurs when, with the intent to harass, annoy, threaten, or alarm another person they:

- communicate with a person, anonymously or not, by telephone, mail, or other written communication in a manner likely to cause annoyance or alarm.
- causes a communication of this kind to take place.
- makes a telephone call, whether or not a conversation takes place, with no purpose of legitimate communication;
- strikes, or attempts or threatens to strike, a person on account of their perceived race, color, national origin, ancestry, gender, religion, age, disability, or sexual orientation.
- strikes someone causing an injury to them; or
- is a repeat harassment offender.

➤ **SECTION 240.30**

➤ **Aggravated harassment in the second degree**

**Penal (PEN) CHAPTER 40, PART 3, TITLE N, ARTICLE 240**

**§ 240.30 Aggravated harassment in the second degree.**

A person is guilty of aggravated harassment in the second degree when:

1. With intent to harass another person, the actor either:
  - (a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, or a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or
  - (b) causes a communication to be initiated anonymously or otherwise,

by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or

2. With intent to harass or threaten another person, he or she makes a telephone call, whether a conversation ensues, with no purpose of legitimate communication; or
3. With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or
4. With the intent to harass, annoy, threaten, or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact thereby causing physical injury to such person or to a family or household member of such person as defined in section 530.11 of the criminal procedure law; or
5. He or she commits the crime of harassment in the first degree and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years.

Aggravated harassment in the second degree is a class A misdemeanor.

➤ Third-Degree Stalking

Third-degree stalking occurs when a person intends to harass, annoy or alarm someone and acts in a way likely to cause the victim to fear physical injury, sexual assault, kidnapping or death, either personally or to a family member. This is a class A misdemeanor, which may bring up to a year's imprisonment and three years' probation

**2.) Police Brutality:**

**Police brutality** is the excessive and unwarranted use of force by law enforcement. It is an extreme form of police misconduct or violence and is a civil rights violation. It also refers to a situation where officers exercise undue or excessive force against a person. Police violence includes but is not limited to physical or verbal harassment, physical or mental injury, property damage, inaction of police officers, and in some cases, death.

- Individual persons like myself as a pro se can actively sue an officer that is suspected of violating someone's civil rights or causing death, serious bodily harm, or injury. Qualified immunity will not be a sufficient response in cases of officers violating the rights granted by the Bill of Rights and the Amendments of the Constitution (24-31-904).

Let me remain The Officers who Attack me, The City of New York, Those Unions that Support those Officers brutal behaviors & the MTA.

### **3.) Police Misconduct:**

\* As civilians, we expect that police officers will protect and serve our communities, as required by their oath. However, some police officers abuse their power and harass innocent citizens. Police harassment occurs when an officer arbitrarily or continually stops someone. Officers may engage in aggressive questioning of an innocent person or conduct an illegal.

Since Police harassment is different to/from police misconduct as it refers to an officer continuously stopping, aggressively questioning, or searching someone, without proper legal grounds to do so. Here are some more forms of police harassment:

- Using excessive force
- Making comments of a racist, homophobic, or sexist nature
- Doing illegal surveillance on someone
- Holding someone against their will
- Police misconduct encompasses several different types of claims against the police, including discrimination, false arrest, and excessive use of force in view of the circumstances.
- That I indeed had suffered all/both under Officer Crocilla and his Partners-Mafia Workers:
- 34 U.S.C. § 12601

#### **§12601. Cause of action**

##### **(a) Unlawful conduct**

It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

##### **(b) Civil action by Attorney General**

Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1)<sup>1</sup> has occurred, the Attorney General, for or in the name of the United States, may in a civil action obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

(Pub. L. 103-322, title XXI, §210401, Sept. 13, 1994, 108 Stat. 2071.), CITE: 34 USC 12601

**42 USC § 14141 (2011)**

**§14141. Cause of action(a) Unlawful conduct**

- It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons.

**4.) Constitutional Right's**

The Constitution's 5th and 14th amendments prohibit all levels of government, which includes the police, from unfairly or arbitrarily depriving individuals of their rights to life, liberty, and property.

- All United States people, regardless of immigration or citizenship status, have rights should they be stopped or detained by police, that include the following protections by the U.S. Constitution's 4th, 5th, and 6th Amendments:

**Color Laws:** To say out loud that they wish to remain silent, To refuse search of one's body, car, or home without probable cause,

- "under color of state law." Under color of state law does not mean action taken pursuant to state law, instead "a misuse of power possessed by virtue of state law and made possible only because the actor is colored with authority of state law" constitutes "color of law."

\* *Monroe v. Pape*, 365 U.S. 167 (1961).

### **5.) The “Due Process” of Law**

My due process was violation because when the police arbitrarily stop, detain, or demand information from a citizen when no crime is being committed, and with no apparent evidence that a crime may be committed. In these situations, if Native American that part taking to be part of America-citizen is stopped by police but not detained or arrested for a crime, they are not required to answer officer questions and are lawfully free to leave an interrogation. Yet, Officer Crocilla and his Mafia Gangs workers-breach my due process rights.

### **6.) Racial Profiling:**

Title VI of the 1964 Civil Rights Act made illegal use of “public” funds to discriminate based on race, color, and national origin. So, when an American citizen has been unlawfully stopped or detained by police whose salaries are paid by citizen’s tax dollars, it’s referred to as “racial profiling” and is a violation of Title VI.

- This type of conduct by police also violates a citizen’s Constitutional “due process” rights and is considered harassment. In addition to the above types of conduct, police harassment includes illegal detention; racial and ethnic profiling; making racist, sexist, and homophobic remarks; illegal surveillance and spying; and illegal search and seizure of property.

### **7.) My Civil Rights Protections Under the Law was violated?**

Section 1983 of the Act prohibits the police from violating another person’s civil rights. Other provisions of state law add to those protections. An individual whose rights have been abused by a policeman or other government official may have a cause of action under Section 1983 against both the policeman or official that caused the abuse and the local government entity that employs the policeman.

#### **➤ Title 18, U.S.C. §242**

- §242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or

protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

- (June 25, 1948, ch. 645, 62 Stat. 696 ; Pub. L. 90-284, title I, §103(b), Apr. 11, 1968, 82 Stat. 75 ; Pub. L. 100-690, title VII, §7019, Nov. 18, 1988, 102 Stat. 4396 ; Pub. L. 103-322, title VI, §60006(b), title XXXII, §§320103(b), 320201(b), title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104-294, title VI, §§604(b)(14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)
- Graham v. Connor, 490 U.S. 386 (1989), *Johnson v. Glick*, 481 F.2d 1028.

#### **8.) False-Arrest/Detained:**

false arrest in this action for, inter alia, alleged false arrest, false imprisonment, malicious prosecution, and violations of 42 USC § 1983, defendants move seeking an order granting them summary judgment pursuant to CPLR § 3212. Specifically:

is the unlawful restraint of a person's freedom of movement. It can occur any time one person:

- holds another individual against his or her will or/and the deprivation was not consensual.

- takes another individual into custody without consent or without legal justification to do so/ that deprivation compels the victim to go somewhere or to stay somewhere for an appreciable time, and
- False arrest is an intentional tort. That means the person who committed it must have done so purposefully.
  - 1.) a victim can demand the officer face repercussions for their false arrest. In the most egregious cases, the officer could get fired. He or she could also be suspended or retrained.

➤ **Malicious Prosecution and False Arrest as a Civil-Rights Violation:**

In addition to any state-law claims, malicious (criminal) prosecution and false arrest are record as separate violations of a person's constitutional right against unreasonable searches and seizures protected by the Fourth Amendment of the U.S. Constitutions. Whether malicious-prosecution claims involve an arrest or criminal proceeding.

- The official title of "Section 1983" is the Civil Rights Act of 1871. Codified as 42 U.S.C. Section 1983, it is commonly referred to as Section 1983. In larger terms, Section 1983 bars a person from using "color of law" to excuse a violation of constitutional rights.
- Moving past civil rights protections under Section 1983, the next section will explore unreasonable search or seizure under the Fourth Amendment.
- Whiteley v. Warden, 401 U.S. 560 (1971)-An arrest or search made by officers relying on relayed police information, a teletype, a bulletin, a warrant, etc. is only valid if the issuing officer had probable cause to make the arrest or search. It is irrelevant that the officers reasonably assumed the issuing officer had probable cause.

➤ Dunaway v. New York, 442 US 200 (1979)-The involuntary seizing of a person from his home without probable cause and compelled him to go to the station for interrogation violated the person's Fourth Amendment rights. The Miranda rights advisory does not overcome the taint of the illegal arrest. Factors that should be considered in determining whether a confession was obtained by exploiting an illegal arrest are:

- Hayes v. Florida, 470 US 811 (1985)-Without probable cause, consent, or judicial authorization, the investigative detention of a person for the purpose of taking him from his home to the station for fingerprinting violated the Fourth Amendment. The court further added that the police can fingerprint a suspect (not arrestee) under the following circumstances:
  - The officer has reasonable suspicion that the suspect committed a crime
  - That there is a reasonable basis that the fingerprints would establish or negate the suspect's involvement in the crime, and
  - The fingerprinting is quickly conducted in the field
  - temporal proximity of the arrest and the confession
  - presence of intervening circumstances
  - purpose and flagrancy of the official misconduct.
- Stufflebeam v. Harris, 06-4046 (8th Cir. 2008)-The Court held: Police could not arrest a passenger in a vehicle simply because he did not comply with the officer and show identification. The officer needs reasonable suspicion that the passenger is engaged in criminal conduct before compelling him to show identification. The Court stated, "...arresting Stufflebeam, a passenger not suspected of criminal activity, because he adamantly refused to comply with an unlawful demand that he identifies himself. No reasonable police officer could believe he had probable cause to arrest this stubborn and irritating, but law-abiding citizen.

#### **9.) Breach of the Laws:**

**18 U.S.C. sec. 242:** This statute is a federal statute that creates criminal liability for the intentional violation of rights granted by the Constitution or by federal statutes. As a matter of policy, the United States Justice Department reserves use of this statute for the most egregious cases. Some considerations which are considered before the Justice Department will proceed are: the extent of injuries; the availability of independent witnesses; the history of the officer involved in the incident and whether or not punitive action sufficient to satisfy federal interests

have already been imposed. This statute is nearly identical to sec. 1983 in that the government must show that an officer's action, committed under color of law, has resulted in a violation of Constitutional or federally granted rights. The difficulty that federal prosecutors face when prosecuting a section 242 case is the government's burden to prove that the violation of rights was intentional.

- Officer(s) breach the Company laws when file false documents.

## 10.) Retaliation's:

### **First Amendment Retaliation:**

- "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90-284, title I, § 103(b), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100-690, title VII, § 7019, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-

322, title VI, § 60006(b), title XXXII, §§ 320103(b), 320201(b), title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104–294, title VI, §§ 604(b)(14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

**11.) Mistreatments:**

**The Equal Protection Clause and Race**

Although neither the Fourth nor the Fourteenth Amendment prohibits the use of race when it must be employed and does not result in an unfair application of the laws, the Constitution forbids police officers from targeting individuals for investigation *solely* on the basis of their race.

- “New York State Attorney General Eliot Spitzer has also expressed skepticism regarding the adequacy of the pool of reported UF-250s. As a result, the Attorney General’s Civil Rights Bureau disseminated a “Stop and Frisk Information Collection Form,” that was designed to allow individual citizens to report stop and frisk encounters. State investigators would then “compare [these forms] to the 250s to see what the correlation might be between the 250s that . . . are within the city’s repository, which is claimed by the [NYPD] to be essentially the totality of the stop and frisk universe.”

**12.) False reporting/lying in his report:**

- New York Consolidated Laws, Penal Law - PEN § 240.50 Falsely reporting an incident in the third degree

\* A person is guilty of falsely reporting an incident in the third degree when, knowing the information reported, conveyed, or circulated to be false or baseless, he or she:

1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe, or emergency when it is not unlikely that public alarm or inconvenience will result.

\* The Language of PC 118.1 states

\* 8 U.S. Code § 1324c - Penalties for document fraud

\* 18 U.S. Code § 1038. False information and hoaxes

(a) CRIMINAL VIOLATION.—

(1) IN GENERAL.—Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), or section 46502, the second sentence of section 46504, section 46505(b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or section 60123(b) of title 49, shall—

(A)

be fined under this title or imprisoned not more than 5 years, or both;

(B)

if serious bodily injury results, be fined under this title or imprisoned not more than 20 years, or both; and

(C)

if death results, be fined under this title or imprisoned for any number of years up to life, or both.

(2) ARMED FORCES.—Any person who makes a false statement, with intent to convey false or misleading information, about the death, injury, capture, or disappearance of a member of the Armed Forces of the United States during a war or armed conflict in which the United States is engaged—

(A)

shall be fined under this title, imprisoned not more than 5 years, or both;

(B)

if serious bodily injury results, shall be fined under this title, imprisoned not more than 20 years, or both; and

(C)

if death results, shall be fined under this title, imprisoned for any number of years or for life, or both.

(b) CIVIL ACTION. —

Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), or section 46502, the second sentence of section 46504, section 46505 (b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or section 60123(b) of title 49 is liable in a civil action to any party incurring expenses incident to any emergency or investigative response to that conduct, for those expenses.

According to Officer Crocilla report:

**Narrative of the case:**

"On January 9, 2019 at approximately 0241 hours, undersigned officers observed a black female in a wheelchair yelling and screaming for no apparent reason.

The female/EDP stated " you white, red neck cops are harassing me, I pray to Allah that you get killed with a rifle, I'm going to come back and kill you fags and I want an ambulance". Upon escorting the female/EDP up to the 34 Street entrance, the female EDP did pick up a cone and attempt to throw it at undersigned officers. The female EDP did attempt to scratch undersigned officers and did attempt to strike us with both her hands. The female/EDP was rear cuffed and escorted into the ambulance for transport along with all her property. The female/EDP was lodged at CPEP located at Bellevue Hospital for a psychiatric evaluation."

- Office Crocilla filed a false/lie report because video evidence camera inside MTA 34 Street Penn Station showed that the Office Flash his golf-cart-car light in my eyes as I just came from out of the bathroom. When I arrived at the

bathroom there was a long-line I saw my good-friend whom at that time worked for an Agency, I saw her sweating we spoke for about 3 min then she told me she was thirsty but it's been extremely busy she does not have a chance to go buy something to drink. I told her I will be right back I went to the 2<sup>nd</sup> level near New Jersey Transit at the Walgreen there brought her some drink water and Pierre Drunk extremely cold then I made my way back to the bathroom where I gave her the drink and the gift that I had got for her, for her dad and for her kid's. Then we spoke some more while waiting in the line while we were speaking the line getting shorter and shortest so when it was finally my turn to use the bathroom, Jenny went back to work and I left. After I wash my hands and told Jenny by see you next times I have to go pick up Medications that my Doctor had send me at the Ride-Aid on 125<sup>th</sup> and Lenox that I did not want to miss before they closing so we said our goodbye, then when I arrived in the Corner the Officers where in Golf-car, Officer Crocilla pull right in front of me flash that bright lights in my eyes because I am a seizure person/have history of seizures and I do take three different kind of seizure meds to keep me balance, flashing a flash light in someone that have pre-existing health history like seizure can trigger seizure in that person so I stop my wheelchair put both my hands up in my eyes trying to block the lights that's flashing in my eyes because the last thing I did not wants is for a seizure attack inside Penn Station especially when I was on my way to go pick up two of the meds were the seizures meds at the pharmacy. As I have my hands up cover my eyes I felt a hands touching my hip so I removed one of my hand and pushed that hands out whom was touching me next things I knew officer Crocilla started abusing me when I asked why did I've done he told me to shut the Fuck up, I told him am a Muslim if I done anything am requesting for a female police officer(I requested for female officer five time) each time I was met with Shut the Fuck Up and racist-slur.

- Next thing I knew another white man came over officer Crocilla told him to hold my hands behind my back and pushed my head down as he done so Officer Crocilla wheel my wheelchair against the wall and started saying extremely

unprofessional stuffs, and how they used to have funs rapping none-white people back in the old-days and a lot of racist discussed statements, officers Crocilla told his partner he will wheel me inside the elevator to deal with me since there were no working camera there. I was scared/afraid for my life because I was not sure if they would rap me then killed me. As the wheeled me I fought hard in fear for my life and my safety. When arrived in front of the elevator more racist statements about women was made. Then the elevator door open I start praying in my heart please Allah do not allow today the day I died since I cannot say goodbye to those I love and those whom loves me.

- When we got inside the elevator Officer Crocilla cut the purse that I had around me started going to my stuffs then he stated, "I know where you resigned, and I have your personal information's if you talk or tried to do any actions I will come after you." Then he put my personal stuffs inside his pockets.
- He then threw me out of my wheelchair on the floor then started to abuse me, kick me eleven time on my side.
- I was bleeding from the baton that was attack on my head while I was handcuff face down on my chest.
- I started pleading for my life and asking what I have done, Officer Crocilla kept telling to shut the "fuck up" as he kicks me over and repeatedly eleven times. When he finished abused me, he told his partner to push the elevator button to go up.

when arrived at the street level Officer Crocilla drags me like I was worst then piece of shits by my shirts and half of my coat that he opened during the abused inside the elevator. When the elevator door opened, I was dragged from the elevator door into the street where Officer Crocilla and his partners in crimes made me sat on-top of the handcuffs that was tights around my wrists that I was bleeding from, I was forced to sit on top the handcuffs until ambulance showed up.

- As I waited for the Ambulance eight Officers total Join Officers Crocilla laughing and making statements about back in the days how white men have it easy when they can get away with anything and but now in days none-white think they have

rights and demands whites, tell white men whom are superiors then them what to do.

- Lyland C. Crocilla have his foot on top of chest/ between my breast because he well knew I have a heart monitor device implanted since inside the elevator one of the stuff he took was my heart device card if or when I need to go to medical detections I can show it to them, he even asked me "you have a device huh". He knew I had the device between my chest yet outside while waiting for the ambulance he have his foot right the center of my chest pressuring it and he damage the device in my heart now I need to go back to surgery to have it removed and have another one replace/put on.
- they were smoking Cigars as they laughing about certain old moving what the white men used to do when they were ruling the rights and correct ways, they were making racist statements that cause me extremely distress. I honestly did not know what would happen to me, if those hours would be my last hours in the physical whelms.
- When the Ambulance finally arrived about thirty to forty minutes later, the officers pulled the two ambulance men aside extremely-far away from me all I saw them chatting, laughing, and pointing at me while blood gushing down my face, all over my eyes for about fifteen minutes.

Then when the gentlemen returned back with the officer the old one asked me questions he wants me to get up to get in the stretcher told him I cannot then he look at me then asked is that your broken wheelchair I said yes then he asked what happen to it I replied asked officer Crocilla he threw me out of it, then he asked how did you hand up on the floor I told him the officer threw me out of the chair did you heard what I said the first time.,

- then the two ambulance men grabbed me and put me on the stretcher got me inside the ambulance then more abused happened.
- Officer Crocilla touch me unprofessional inside the ambulance when the older man went in the front of the passenger temporary to talk with the younger man who was driving the ambulance, because officer Crocilla refused to remove the handcuff in order for him to give me medical attentions, the old man seemed

frustrated but did not want to get into it with the officer so he left temporarily to go speak to his partner about the matter.

When I arrived in the hospital bleeding rather get medical attaching Officer Crocilla went spoke to some nurse far away so I could not hear the conversations then point at me next things I knew the nurse said "You will be transfer to Spychward" I asked why?...

- She refused to give me an answered. I told her I needed medical attentions she just said that is not my called, all I remember while my outfit is soaks with my own blood I hand up in the spychward without my consent bleeding while I was in the stretcher waiting I kept fading in and out, the lady that was watching me kept asking me if I was okay, if I was feeling okay, I remember pleading with her I needed medical attentions please give me medical help stop the bleeding but I was force to way almost hours while bleeding and kept going in and out waiting to see a spych doctor.
- When I was finally was seeing by a psych doctor she came in and she started to evaluated me, I honestly do not know what Crocilla told her nor the rest of the hospital staffs nor the nurse when I first arrived.
- when I explained to the spcyh doctor what took place and I had my one of my phone inside my coat pocket was recording because when I saw the police coming at me I pushed the button and said record, I had a voice record activations app on my phones at that time because of history of seizure's also I knew those officers enjoys hurting none white people it was a safety app in my mind when I had download that app just in case because I knew as I exposed those officers behaviors I would became they toys targets so.
- so after I told her and told her to pulled out the phone out of my coat pocket that was inside my sweater hiding away I gave her the past word to unlock my phone, she heard everything her face was like she saw a ghost then she said "that is a lawsuit that I do not want to be part off, she then added your bleeding way to much you need to be in medical" and she left with my phone in her hand next things I knew I was been rushed to medical to be treated .

- when got to medical just like inside the ambulance Officer Crocilla refused to remove the handcuffs in other for me to get medical treatments, Officer Crocilla partner follow him in the police car in the hospital, then when Officer Crocilla found out and saw they were rushing me to Medical he was extremely mad and start to argued with the gentleman that was transporting me, the gentleman said am only doing my Job Sir. When arrived at Medical Officer Crocilla refused to remove the handcuffs so the staffs and the nurse that came to draw my blood since I told them I have history of seizure she asked me what times I took the last medication told her she said I have to let the doctor know the doctor might requested bloodwork's so make sure your medications levels are up to where need to be at
- When she returned with changing cloth, things to draw my blood and other stuffs to proper treatment even-thought they put me in a private room with two other staffs watching me. Officer Crocilla argued with the nurse that came to change my gown eventually he left and left me with the handcuffs inside the hospital private room the staffs had to called a hospital police over to remove the handcuffs out of my hands so I could get the medical treatments that I needed.

### **13.) Power Hungry/Abusive of Power/Authority**

#### **• FR § 11.448 - Abuse of office.**

##### **➤ § 11.448 Abuse of office.**

A person acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity commits a misdemeanor if, knowing that his or her conduct is illegal, he or she:

- (a) Subjects another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien or other infringement of personal or property rights; or
- (b) Denies or impedes another in the exercise or enjoyment of any right, privilege, power or immunity.

#### **Police Misconduct**

- Police misconduct illegal or inappropriate action taken by an officer. It can involve a violation of state law, federal law, or police department rules and regulations.

- Federal law also makes it a crime to willfully deprive a person of their constitutional rights. (18 U.S.C. § 242 (2020); Minn. Stat. § 609.43 (2020).)
- Under the Civil Rights Act of 1871, a victim of police misconduct involving a violation of the person's civil rights can sue the offending officer and the department that employed the officer. Often referred to as a Section 1983 lawsuit (based on the statutory citation 42 U.S.C. § 1983).

### **Americans with Disabilities Act (ADA)**

July 2020 marked the 30th anniversary of the Americans with Disabilities Act (ADA), the landmark federal legislation that prohibits discrimination against individuals with disabilities in all aspects of public life:

- A person is guilty of assault in the third degree if he intentionally or recklessly cause physical injury to another person, or if he causes physical injury with criminal negligence "by means of a deadly weapon or a dangerous instrument." N.Y. Penal Law § 120.00 On the morning of October 31, 2006, Duran repeatedly told the Lincoln Center security guards and NYPD officers that Glassman had shoved her out of bed and slammed a door in her face. Combined with the discolored lump on her forehead-----testified o by the police officers—and her distraught demeanor, these facts gave the NYPD officers probable cause to believe that Glassman had caused Duran "Physical injury" either intentionally or recklessly. See Curley 268 F.3d at 69; Ricciuti, 124 F. 3d at 128; Sforza v. City of N.Y., No. 07 Civ. V. Timberlake, 300 A.D.2d 219, 220, 752 N.Y. S.2d 315, 316 (1<sup>st</sup> Dep't 2002).

### **Kidnapping:**

*Officer Lyland C. Crocilla had committed a crime when he unlawfully seizing and carrying away a person by force or Fraud, or seizing and detaining me against my owned will with an intent to carry that person away at a later time.*

- Generally, kidnapping occurs when a person, without lawful authority, physically asports (i.e., moves) another person without that other person's consent, with the intent to use the abduction in connection with some other nefarious objective.
- New York State also has a second-degree kidnapping statute. A person is guilty of second-degree kidnapping if he or she abducts another person (§ 135.20). A person who is convicted of a class B felony in New York State can be sentenced to one to eight years in prison (§ 70.00).
- It is prohibited by the Fifth Amendment to the U.S. Constitution. Kidnapping often is an act that facilitates another offense, such as rape, Robbery, or assault. Rape, robbery, and assault often involve the act of moving a person against his or her will, which is the gravamen (i.e., the significant element) of a kidnapping charge.
- In most states, an asportation of a few foot may constitute the separate offense of kidnapping; in other states, distance is not a factor. In New York State, for example, the focus of the kidnapping statute is not distance, but purpose. Thus, an asportation of 27 city blocks might not constitute kidnapping if it is merely incidental to a companion crime (*People v. Levy*, 15 N.Y.2d 159, 256 N.Y.S.2d 793, 204 N.E.2d 842 [N.Y. 1965]). Likewise, an asportation from the borough of Manhattan to the borough of Queens might not constitute kidnapping if it plays no significant role in the commission of another crime (*People v. Lombardi*, 20 N.Y.2d 266, 282 N.Y.S.2d 519, 229 N.E.2d 206 [Ct. App. 1967]).
  - New York State also has a second-degree kidnapping statute. A person is guilty of second-degree kidnapping if he or she abducts another person (§ 135.20). This crime lacks the aggravating circumstances in first-degree kidnapping, and it is ranked as a class B felony. A person who is convicted of a class B felony in New York State can be sentenced to one to eight years in prison (§ 70.00).
- In contrast, in *State v. Wagner*, 191 Wis. 2d 322, 528 N.W.2d 85 (Ct. App. 1995), the appeals court upheld a separate conviction for kidnapping. In *Wagner*, the d

efendant approached two women on two separate occasions in a laundromat. Both times, the defendant tried to force the women into a bathroom to rape them. He was convicted of two counts of attempted first-degree sexual assault, one count of kidnapping while armed, and one count of attempted kidnapping while armed. On appeal, he argued that he should not have been convicted of kidnapping because, under section 940.31(1)(a) of the Wisconsin Statutes, kidnapping is defined in part as the carrying of a person "from one place to another," and he had not taken his victims to another place. The court disagreed, holding that forced movement from one room to other falls within the meaning of the kidnapping statute. Ultimately, the appeals court affirmed the defendant's sentence of 72 years in prison.

**Thief:**

- Since Thief is one who steal, Officer Lyland C. Crocilla stole my properties without my consents, my items by putting them inside his pockets
- By cutting off my purse shoulder strap that was across from my shoulder,
- By fighting me for my personal possessions when he was fighting to get the purse that have my personal privates information's when he realist he could not get it, he took out something that look like scissor cut the shoulder strap of the purse then hit me in the back of my head then threw me into the floor.
- Still to these days do not received/get my stuffs back that is including libraries books that I had borrowed that was stolen and I was force to complain to Mr. Derek Hosein about it who reached out to the libraries to have the items removed and the fines to be removed.

## **Assistance District Attorney Public Corruption Unit, New York**

### **County District Attorney's Office:**

- Since Stephanie Minogue the Assistant
- District Attorney Public Corruption Unit stated on December 9, 2020 e-mail "Investigator Johnson told me that you were asking for the case number for our investigation. Unfortunately, that's not something we can give out. It's an internal tracking number that we're not allowed to share since it relates to a pending investigation. We've got what's called a "grand jury investigation" Opened for your case, but those are by law completely secret and confidential. That means that legally we can't share information about your case with anyone, except for your Lieutenant Hosein because he is helping us with the investigation. So, because we can't help you with your lawsuit, you may want to hire your own attorney to help with that."

As the victim that requesting information about my case and it is me that happened too so am in title to get information's about the case, rather my requested have been denied over and over again so I can find ways to get True-Justice: But according below the laws and re-adjusted the laws stated.

- 1.) **Federal Regulation of State and Local Law Enforcement** Existing federal remedies for constitutional violations by state and local law enforcement include civil and criminal enforcement by the U.S. Department of Justice (DOJ) and private suits by individuals deprived of their rights by someone acting "under color of" state law. In addition, the federal government encourages states to enact certain policies related to law enforcement by placing conditions on federal funding. Federal agencies also independently investigate and gather data on law enforcement activities
- 2.) **Federal Criminal Law** A provision of the federal criminal code, 18 U.S.C. § 242 (Section 242), makes it a crime for (among other things) a person acting "under color of any law, statute, ordinance, regulation, or custom" to "willfully subject[ ] any person . . . to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States[.]" Section 242 also prohibits a person acting Congressional Research Service <https://crsreports.congress.gov/LSB10486> Congressional Research Service 2 under color of law from subjecting any person to "different punishments, pains, or penalties, on account of such

person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens[.]” A simple violation of the statute is punishable by a fine and/or up to a year in prison. If bodily injury results, the offender may be fined and/or imprisoned for up to ten years. If death results or other aggravating factors are present, Section 242 provides for a fine and/or imprisonment for ten years to life or a death sentence (though the Constitution forbids imposition of the death penalty for non-homicide offenses). A related provision, 18 U.S.C. § 241 (Section 241), makes it a crime for “two or more persons [to] conspire to injure, oppress, threaten, or intimidate any person . . . in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States[.]” Violations of Section 241 are punishable by up to ten years in prison or, if certain aggravating factors are present, up to life in prison or death. The Supreme Court has held that “officers of the State . . . performing official duties,” including public safety officials, act “under color of . . . law” for purposes of Section 242. As DOJ has explained, law enforcement officers may violate Section 242 through “excessive force, sexual assault, intentional false arrests, theft, or the intentional fabrication of evidence resulting in a loss of liberty to another.” DOJ enforces Sections 241 and 242 by bringing criminal charges against officers accused of violating those statutes. People who believe their rights have been infringed may report such violations to DOJ, but Sections 241 and 242 provide no private right of enforcement. Notably, if DOJ elects to pursue criminal charges under Section 242, it faces a high standard of proof: in *Screws v. United States*, the Supreme Court held that to show a violation of a prior statute whose wording mirrored that of Section 242, the prosecution must prove the defendant had “a specific intent to deprive a person of a federal right made definite by decision or other rule of law.” The Supreme Court extended this holding to Section 241 cases in *United States v. Guest*. In practice, the specific intent requirement requires the prosecution to prove that a local official intended to violate a federal right, as opposed to simply intending to, for example, assault a victim. This results in what some view as a significant hurdle to bringing Section 241 and 242 claims.

- 3.) **DOJ Civil Enforcement** Another section of the U.S. Code, 34 U.S.C. § 12601 (formerly codified at 42 U.S.C. § 14141) renders it “unlawful for any governmental authority, or any agent thereof, . . . to engage in a pattern or practice of conduct by law enforcement officers or by officials . . . that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.” According to DOJ, potential violations of this provision include “excessive force, discriminatory harassment, false arrests, coercive sexual

conduct, and unlawful stops, searches or arrests.” DOJ enforces this provision by filing civil complaints against allegedly offending law enforcement agencies. The statute does not create a private right of action (i.e., a right for individuals harmed by violations to sue). Moreover, because the law applies only to a “pattern or practice of conduct,” it cannot remedy isolated instances of misconduct. Finally, the statute does not provide for monetary penalties. If DOJ successfully sues under the provision, it may “obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.”

- 4.) **Private Civil Rights Litigation** Federal law also allows individuals to seek civil redress for violations of their legal rights. The applicable statute, 42 U.S.C. § 1983 (Section 1983), provides in relevant part: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured[.] Unlike the foregoing statutory provisions, Section 1983 creates a private right of action, meaning that anyone suffering a covered deprivation of rights may sue the persons responsible. Moreover, unlike Congressional Research Service 3 Sections 241 and 242, courts have interpreted Section 1983 not to contain a specific intent requirement. A prevailing Section 1983 plaintiff may be entitled to injunctive relief, attorney’s fees, and/or money damages. Recovery may include both compensatory damages (designed to make the plaintiff whole and compensate for the legal injury) and punitive damages (designed to punish the defendant and deter future, similar misconduct). Similar to Section 242, Section 1983 applies to persons acting “under color of” state law. State and local public safety officers generally act under color of state law for purposes of Section 1983: as the Supreme Court has stated, “a public employee acts under color of state law while acting in his official capacity or while exercising his responsibilities pursuant to state law.” However, law enforcement liability under Section 1983 is subject to a significant judicially created limitation: based on concerns that frequent litigation could interfere with the work of law enforcement officers, the Supreme Court has held that law enforcement officers’ benefit from qualified immunity from suit. The Supreme Court announced the modern qualified immunity test in *Harlow v. Fitzgerald*, holding that “government officials performing discretionary functions, generally are shielded from liability for civil damages” if they do not “violate clearly established statutory or constitutional rights of which a reasonable person would have known.” The Supreme Court has explained that

qualified immunity is “an immunity from suit rather than a mere defense to liability; and like an absolute immunity, it is effectively lost if a case is erroneously permitted to go to trial.” As a result, courts generally consider qualified immunity early in a Section 1983 case, and a defendant whose qualified immunity defense is denied is entitled to an immediate interlocutory appeal. A court evaluating a claim of qualified immunity considers two questions: (1) whether, viewed in the light most favorable to the plaintiff, “the facts alleged show the officer’s conduct violated a constitutional right”; and (2) “whether the law clearly established that the officer’s conduct was unlawful in the circumstances of the case.” While that two-step analysis was once considered mandatory, in the 2009 case Pearson v. Callahan, the Supreme Court held that judges could “exercise their sound discretion in deciding which of the two prongs of the qualified immunity analysis should be addressed first.” In a series of recent cases involving police use of force, the Roberts Court has reversed lower court denials of qualified immunity, stating that “clearly established law” must not be defined at a high level of generality and instead needs to be particularized to the facts of the case, which can amount to a high bar for plaintiffs to overcome. The Supreme Court articulated another limitation on Section 1983 suits in Monell v. Department of Social Services. In that case, the Court held that a municipality is a “person” subject to suit under Section 1983. However, the Court further held that a local government cannot be sued “for an injury inflicted solely by its employees or agents” under the theory of respondeat superior (the legal doctrine that an employer may be liable to suit for wrongful acts of its employees). Rather, under Monell, a Section 1983 plaintiff must show that an injury stems from a “policy or custom” of the municipality. This requires a showing that “through its deliberate conduct, the municipality was the ‘moving force’ behind the injury alleged,” and that the municipality acted with “deliberate indifference to the risk that a violation of a particular constitutional or statutory right will follow.” This exacting standard has led one commentator to assert that municipal liability “is practically a dead letter.”

- 5.) **Grant Conditions and Federal Oversight** The federal government provides financial support to state and local law enforcement in the form of grants, and may require states to enact certain policies to qualify for such funding. As one example, the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Program provides federal support for state and local criminal justice programs. Among other conditions, states that receive Byrne JAG funding must certify compliance with the Death in Custody Reporting Act (DCRA). Enacted in 2014 the DCRA

requires states to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies. Byrne JAG grants have also been used to train officers on Congressional Research Service 4 use of force and de-escalation of conflict. In addition to guiding state and local law enforcement policy through grant funding, federal government agencies independently collect data related to the use of force by state and local law enforcement.

- 6.) **June 2020 Executive Order** on June 16, 2020, President Donald Trump issued an Executive Order on Safe Policing for Safe Communities. In perhaps its most consequential provision, the Executive Order directs the Attorney General to establish best practices for law enforcement agencies and condition federal grants on compliance with those standards. Specifically, the Executive Order directs the Attorney General to certify independent credentialing bodies that can assess agencies' policies in areas such as use of force, de-escalation, and identifying officers who may require intervention. Of particular note, credentialing bodies will need to "confirm" that state and local use-of-force policies prohibit the use of chokeholds. The Executive Order directs the Attorney General to allocate DOJ discretionary grant funding only to state and local law enforcement agencies that have sought or are in the process of seeking such credentials. In addition, the Executive Order directs the Attorney General to create a database to track and publish data related to instances of excessive use of force by law enforcement, requiring law enforcement agencies that receive discretionary grant funding to submit information to the database. The Executive Order also requires the Attorney General to develop and propose legislation to improve law enforcement practices and build community engagement, and to identify and develop opportunities to train law enforcement officers with respect to encounters with individuals suffering from impaired mental health, homelessness, and addiction. Importantly, the Executive Order provides that many of its requirements must be implemented "as appropriate and consistent with applicable law." As a result, provisions that seek to change existing grant conditions may be tempered by recent court rulings expressing skepticism of the executive branch's ability to unilaterally change conditions related to federal grants, such as those provided under the Byrne JAG program. Basically, with this statement above shown the systems get free tax payers monies to do nothing except cover their Derrière.

- 7.) **Qualified Immunity** Qualified immunity has been the subject of significant debate in recent years. A May 2020 report by Reuters found that "since 2005, the [federal appellate] courts

have shown an increasing tendency to grant immunity in excessive force cases.” Critics of qualified immunity assert that the test the Supreme Court announced in Pearson v. Callahan improperly hinders Section 1983 claims. Not only is it difficult for plaintiffs to overcome a claim of qualified immunity, these commentators assert, but furthermore courts often consider only whether a defendant violated clearly established law, without reaching the question of whether the defendant violated the plaintiff’s rights—albeit in circumstances courts have not yet assessed. Legal commentators have argued that this limited inquiry prevents the development of clearly established law that could govern future Section 1983 cases. Some commentators also assert that the current doctrine of qualified immunity fails to protect law enforcement officers from suit. Others defend the doctrine or favor limited judicial reforms, asserting the need to afford police officers some level of deference when making split-second decisions about the use of force, for example to subdue a fleeing or resisting suspect. Congressional Research Service 5 The doctrine of qualified immunity arises from the Supreme Court’s interpretation of Section 1983. Thus, either the Court or Congress could modify the doctrine, and some legal scholars have called on both branches to address the issue. The Court has considered multiple petitions for certiorari raising challenges to qualified immunity, and Justice Thomas and Justice Sotomayor have both expressed concerns about the doctrine. On the legislative side, the Ending Qualified Immunity Act introduced in June 2020 would wholly “remove the defense of qualified immunity.” Another proposal aimed at removing barriers to Section 1983 liability is the Reforming Qualified Immunity Act. Unlike current law, which grants officials qualified immunity if the constitutional right alleged to have been violated is not “clearly established,” this proposal would place the burden on Section 1983 defendants to affirmatively show with some particularity that the conduct at issue was authorized by law. Specifically, the proposal would seek to remove the existing doctrine of qualified immunity and instead provide that an individual defendant “shall not be liable” if the defendant reasonably believed that his or her conduct was lawful and either (1) the conduct at issue was “specifically authorized or required” by federal or state law, or (2) a federal or state court had issued a final decision holding that “the specific conduct alleged to be unlawful was consistent with the Constitution of the United States and Federal laws.” The Reforming Qualified Immunity Act would also revise the rule articulated in Monell by providing that “a municipality or other unit of local government shall be liable for a violation [of Section 1983] by an agent or employee of the municipality or other unit of local government acting within

the scope of his or her employment,” in effect applying the doctrine of respondeat superior to such governmental entities.

- 8.) Criminal Liability While changes to the doctrine of qualified immunity could alter civil liability for law enforcement officers, other proposals would aim to expand criminal liability for civil rights violations by officers. For example, the Eric Garner Excessive Use of Force Prevention Act of 2019 would amend Section 242 to provide explicitly that “the application of any pressure to the throat or windpipe which may prevent or hinder breathing or reduce intake of air is a punishment” that may not be imposed on a racially disparate basis. The Police Accountability Act of 2020 would provide a federal criminal penalty for assault or homicide committed by certain state or local law enforcement officers. Some commentators also advocate removing the specific intent requirement for Sections 241 and 242 announced in Screws and Guest. According this statement in paragraph 9 clearly stated, yet video surveillance's have shown that officer Crocilla had his foot between my chest pressuring with the medical device place for more than twenty minute, I knew it and the Assistant District Attorney Public Corruption Unit on the day I went in to speaking to them and viewed the video's tapped and to give my testimonies to them it clearly showed the office foot between my breast and chess pressuring the Device that he had damage yet they refused to Criminal Charges him, what good is it that laws passed and those in power refused to honor such laws.
- 9.) Limitations on Military-Grade Equipment Under a federal program known as the 1033 Program, the federal government transfers certain excess military equipment to state and local law enforcement agencies. Some commentators contend that this type of equipment contributes to militarization of police forces without increasing public safety and increases the risk of incidents of excessive force. The 1033 Program is authorized by statute, so Congress has the power to alter or discontinue the program. There are a number of specific proposals on this front. For instance, on May 31, 2020, Sen. Brian Schatz announced his intention to introduce legislation that would end the 1033 Program. Another proposal related to the 1033 Program, the Stop Militarizing Law Enforcement Act, would maintain the program but impose additional limitations and reporting requirements.
- 10.) Grants and Conditions on Federal Funds Numerous proposals currently before Congress would invoke the Spending Clause in an effort to regulate state and local law enforcement activities. Some proposals would fund voluntary state and local measures, such as use of force and bias awareness training or body cameras. Other proposals would require states to enact

certain policies in exchange for federal grants. For instance, the Police Training and Independent Review Act of 2019 would fund training on cultural diversity and de-escalation tactics while requiring participating states to “enact laws requiring the independent investigation and prosecution of the use of Congressional Research Service 6 deadly force by law enforcement officers.” The Preventing Tragedies Between Police and Communities Act of 2019 would oblige Byrne JAG grant recipients to mandate training on ways to reduce the use of force. The Police Exercising Absolute Care with Everyone Act of 2019 (PEACE Act) would require Byrne JAG grantees to enact laws limiting the use of lethal and less than lethal force by law enforcement. The Next Step Act of 2019 would, among other things, direct Byrne JAG grant recipients to submit quarterly reports to the Attorney General on officers’ use of force.

- 11.) The Justice in Policing Act of 2020 On June 8, 2020, Members of Congress led by the Congressional Black Caucus presented the Justice in Policing Act of 2020. According to the reported version of the bill from June 19, 2020, the legislation would build on some of the foregoing proposals to reform multiple facets of federal, state, and local law enforcement, including, but not limited to, the following:
  - Section 101 of the bill would amend Section 242 to change the mental state required for conviction from “willfully” to “knowingly or recklessly.” It would also remove the possibility of a death sentence for violating Section 242.
  - Section 102 would limit qualified immunity for state and local law enforcement officers in suits under Section 1983, and for federal law enforcement officers “in any action under any source of law,” providing that it is not a defense to liability if an officer believed in good faith that his or her conduct was lawful or that the rights the officer allegedly infringed were not clearly established.
  - Sections 103 and 104 would seek to enhance investigations into incidents involving law enforcement uses of force or a pattern or practice of law enforcement misconduct by, among things, granting subpoena power to DOJ under 34 U.S.C. § 12601 and authorizing state attorneys general to bring suit based on violations of that provision.
  - Multiple provisions of the Act would facilitate federal data collection related to police reform. For instance, Section 118 and Title II, Subtitle B of the Act would require federal funding recipients to report incidents involving uses of force by law enforcement, and Section 201 would create a federal law enforcement misconduct registry.
  - Section 362 would ban no-knock warrants in drug cases at the federal level. The section would also condition certain federal funding upon states and localities prohibiting the use of no-knock warrants in similar drug cases.
  - Section 363 would require states and municipalities that receive certain federal

funding to enact laws banning the use of chokeholds by law enforcement officers. • Section 364, the PEACE Act, would allow federal law enforcement officers to use deadly force only as a last resort to prevent imminent death or serious bodily injury when certain conditions are met and impose limits on the use of “less lethal” force. This provision would also condition federal grants on state and local law enforcement agencies’ establishing the same use of force standard. Congressional Research Service 7 • Section 365, the Stop Militarizing Law Enforcement Act, would limit the transfer of certain military-grade equipment (primarily weapons and vehicles designed for combat) to state and local law enforcement. • Title III, Subtitle A of the Act would seek to prevent and remedy racial profiling by law enforcement, including by authorizing civil suits by DOJ and affected individuals. The Title would also establish various programs and policies to help eliminate racial profiling, such as by funding training programs for state and local police. • Title III, Subtitle C would require the use of body cameras by certain federal law enforcement officers and fund expanded use of body cameras by state and local officers. • Title IV, the Justice for Victims of Lynching Act, would create a new criminal prohibition on lynching, defined as conspiracy to violate certain federal hate crime statutes.

- 12.) The JUSTICE Act on June 17, 2020, Senate Republicans unveiled the Just and Unifying Solutions to Invigorate Communities Everywhere Act of 2020 (JUSTICE Act). The JUSTICE Act would enact various reforms related to law enforcement, including but not limited to the following:
  - Under Title I, Section 101 of the bill, the George Floyd and Walter Scott Notification Act, and Section 102, the Breonna Taylor Notification Act, would respectively require recipients of certain federal funding to report to the federal government information related to incidents involving law enforcement uses of force and no-knock warrants.
  - Section 105 would require recipients of certain federal funding to develop law enforcement agency policies “prohibit[ing] the use of chokeholds except when deadly force is authorized.” This section would also require the Attorney General to develop such a policy at the federal level.
  - Section 106 would create a new criminal offense of “knowingly and willfully falsify[ing] a report . . . in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury . . . occurs.” The penalty for violating this provision would be a fine and/or imprisonment for up to twenty years.
  - Title II of the bill would provide grants to covered government agencies to support the use of body-worn cameras by law enforcement officials.
  - Title III would require

law enforcement agencies that receive certain federal funding to retain various disciplinary records and to search the records of prior employers before hiring a law enforcement officer.

- Title IV, the Justice for Victims of Lynching Act, like the corresponding section of the Justice in Policing Act, would create a new criminal prohibition on lynching, defined as conspiracy to violate certain federal hate crime statutes.
- Title V would create a Commission on the Social Status of Black Men and Boys to “conduct a systematic study of the conditions affecting Black men and boys.”
- Title VI would direct the Attorney General to develop training on alternatives to use of force, de-escalation tactics, responding to behavioral health crises, and duty to intervene when another officer uses excessive force.
- Titles VII and IX would establish a temporary National Criminal Justice Commission and require the Commission to create best practices and conduct certain studies related to law enforcement oversight.
- Congressional Research Service 8
- Title VIII would provide for development of an educational curriculum for law enforcement personnel or candidates on the history of racism in the United States.
- Title X would impose criminal liability when a person “acting under color of law, knowingly engages in a sexual act” with a person in federal custody. Violation of this provision would be punishable by a fine and/or up to fifteen years in prison. This provision would also authorize grants to states, municipalities, and Indian Tribes that enact similar laws.

**13.) Case:**  
325 U.S. 91 (1945)

**SCREWS ET AL.**  
v.  
**UNITED STATES.**

No. 42.

**Supreme Court of United States.**

Argued October 20, 1944.  
Decided May 7, 1945.

"An indictment was returned against petitioners — one count charging a violation of § 20 of the Criminal Code, 18 U.S.C. § 52 and another charging a conspiracy to violate § 20 contrary to § 37 of the Criminal Code, 18 U.S.C. § 88. Sec. 20 provides:

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects, or causes to be subjected, any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000, or imprisoned not more than one year, or both." The indictment charged that petitioners, acting under color of the laws of Georgia, "willfully" caused Hall to be deprived of "rights, privileges, or immunities secured or protected" to him by the Fourteenth Amendment — the right not to be deprived of life without due process of law; the right to be tried, upon the charge on which he was arrested, by due process of law and if found guilty to be punished in accordance with the laws of Georgia; that is to say that petitioners "unlawfully and wrongfully did assault, strike and beat the said Robert Hall about the head with human fists and a blackjack causing injuries" to Hall "which were the proximate and immediate cause ~~94~~<sup>94</sup> of his death." A like charge was made in the conspiracy count.

The case was tried to a jury. The court charged the jury that due process of law gave one charged with a crime the right to be tried by a jury and sentenced by a court. On the question of intent, it charged that

". . . if these defendants, without its being necessary to make the arrest effectual or necessary to their own personal protection, beat this man, assaulted him or killed him while he was under arrest, then they would be acting illegally under color of law, as stated by this statute, and would be depriving the prisoner of certain constitutional rights guaranteed to him by the Constitution of the United States and consented to by the State of Georgia."

14.) More information with details facts: CRS In Focus IF10572, What Role Might the Federal Government Play in Law Enforcement Reform?, by Nathan James and Ben Harrington  
• CRS In Focus IF11572, Police Accountability Measures, by Nathan James • CRS Legal Sidebar

LSB10487, Congress and Law Enforcement Reform: Constitutional Authority, by Whitney K. Novak • CRS Legal Sidebar LSB10492, Policing the Police: Qualified Immunity and Considerations for Congress, by Whitney K. Novak • CRS Legal Sidebar LSB10495, Federal Police Oversight: Criminal Civil Rights Violations Under 18 U.S.C. § 242, by Joanna R. Lampe • CRS Legal Sidebar LSB10494, Reforming Patterns of Unconstitutional Policing: Enforcement of 34 U.S.C. § 12601, by April J. Anderson • CRS Legal Sidebar LSB10498, Comparing Police Reform Bills: the Justice in Policing Act and the JUSTICE Act, by Joanna R. Lampe • CRS Legal Sidebar LSB10499, “No-Knock” Warrants and Other Law Enforcement Identification Considerations, by Peter G. Berris and Michael A. Foster • CRS Legal Sidebar LSB10500, Regulating Federal Law Enforcement: Considerations for Congress, by Whitney K. Novak

- **On Friday, May 28, 2021 Email this:** “I hope that you have been doing well and staying safe and healthy. I’m writing to update you on the investigation of the encounter you had with two MTA police officers at Penn Station in January 2020. We were able to review surveillance video and speak to a number of witnesses, and bring the officers in for questioning as well. Unfortunately, we simply could not find enough evidence to establish beyond a reasonable doubt- the standard we are required to meet in a criminal case- that either of the officers committed a crime. One obstacle in particular was that several of the surveillance cameras at Penn Station were not working that night, including the camera in the elevator where the incident took place. We also were unable to find any eyewitnesses to the incident itself.” According to Stephaine Minogue Police Accountability District.

State Attorney’s.

- 1.) My question that I have for Assistant District Attorney Stephanie Minogue from Police Accountability District State Attorney’s is what is the purpose of having camera’s inside train station that does not work?
- 2.) MTA knew their cameras was not working why they did not fix it?  
After all the cameras are there to protect the public/safety.
- 3.) The Officers knows the Camera’s not working that is why they abused none-white people over and over again and they knew they will get away with it because there is no evidence against them.

4.) Why should I been denied of True-Justice because MTA who is worth Billions failure to keep their equipment's working, clean and up-to-date?

**LT Cona & SGT Vollas:**

As leaders it is your job's to lead by true, fair and just:

But refusal to do so and to hold those whom are underneath you accountable for they and/or she action you are "Association Fallacy," You allowed and continued to allow the behaviors/actions of your cloud your judgement to be an effect leaders because of their actions you are indeed as much as responsible as what they've done to me and your indeed carry their burden.

- Your neglect your duties
- The Honors & Respects for any police officers in the public's eyes have become a joke because of those that work underneath you.
- I assumed that you breach company rules/laws & regulation' policies as someone in leadership because no company in their company rules books would have such behaviors/abuser attitude's.

**People v. Lopez: Upholding conviction of adult under section 288(c) for sexually molesting a 14– or 15–year–old child by “once touching his penis, twice masturbating him, and once orally copulating him”**

Robinson v. State, U.S. v. Ayala, U.S. V. Caldwell 560 F.3d 1214 (10<sup>th</sup> Cir. 2009),

U.S. v. Ofrey-Campos 534 F.3d 1 (1st Cir. 2008), People v. Vansickle A156274 (Cal. Ct. App. Oct. 23, 2020)

**PO Michels**

Shame on you.

Your indeed guilty by association and you were there allowing your Partner act in such awful behaviors

- You deserved to have your police batch taking away from you.
- Wilson v. Harrington Case No. 12-Cv-10059.
- State v. Clark 376 P.3d 1089 (Utah Ct. App. 2016)

**EMS Ward:**

It is your duty(ies) as a medical worker to provide proper medical to who(m)'s ever became/was your client(s), rather chit-chatting with your great-good friends the officers and joking around also passing Prejudices Judgements against your clients it is not right, fair nor just. When You arrived, you should had come straight to me as a patient needed help, not those corrupt police officers.

- As an essential worker it is your duty to leave any prejudices you have against anyone that you supposed to provided

cares for and for that I believe you need way more/way better training.

**Dr. Porter**

I know being a Doctor is not easy especially working in the hospital I do not hold it against you what took place. I know your were doing your best with the false information's and reports that Officers Crocilla had provided when I first arrived, we all learn from our mistake I hope in the future whenever you see a patient that is handcuffs you should spoke to the patient find out what is the real-true story from that patient because Police Officer does lies in other to cover their evil behaviors.

- I felt like I was not being heard by the hospital nor the Doctor and no-one should never feel neglected to be heard by essential workers.

**The City Of New York**

You are guilty by association because you gave license to MTA to Hired abusive, racist and evil officers like Lyland C. Crocilla and you have the power to force MTA and the Union to fired also you have the power to make sure Criminal Charges against Lyland C. Crocilla you The City Of New York set laws, rules, edicts, regulations and organizations

example organization of like Police Accountability Unit/New York County District Attorney's Office and DOJ.

- As a City it is your responsibilities that you protects the Citizens and the Citizens Constitutional lawful and other rights giving by them, it is your duty as a City to protect the publics and you indeed City Of New York have dropped the balls and you are accountable after all for those whom you licenses/you gave businesses licenses too to do/operate under your City.
- You set rules, laws and regulations for those organizations and those whom work for such, yet you refused to honors your owned laws.
  - I know they are so many(ies) innocents' clients who complains and might even called certain organizations like DOJ to complain yet nothing seemed was not done. If you City Of New York be honest with yourself cares for your Citizens a lot of abuser's police officers or those whom work in the essential field would not complain or report even file sue.
  - I held you one-hundred percent for Lyland C. Crocilla attacked on me that day and I hold you one-hundrend percent for denying me true-Justice.

- City Of New York I honestly believe you have the power to criminal charge the officers and especially officer Lyland C.

Crocilla

- You the city Of New York have the upper hands and the powers to make sure Stephanie Minogue Deputy Chief Police Accountability Unit New York County District Attorney's Office to file criminal charges since your to busy finding ways to pressed charges against President Donald J. trump you can follow your own darn laws, rules, regulations, edicts, the Constitutions, Federal Laws and any other laws sets into place furthermore the laws that I stated above was violate see I made it ways easy for you the City Of New York by listed the laws and the violations for you. What happen to me that day it is in your hands the City of New York. I do not care if the Judge will remove you once I re-listed you in this case I will bring it to higher courts and I am also ready to take this case out of state eventually out of the U.S. Jurisdictions if you the City Of New York refused to Criminal Charges Officer Lyland L. crucilla.

**DOJ**

U.S. Department of Justice:

Please do explained to me what are your job's?

Because if you supposed to be and represented the United States of America and you supposed to be Department of Justice why did you/allowed those officers get away such abusive behaviors to the public?

- It was not the first time's any Citizen(s) in the state and city Of New York called, complain, file grievance against those officers, especially Lyland C. Crocilla.
- You also share responsibilities for them and for Lyland C. Crocilla attacked one me that because I had filed several complained that returned void.
- You supposed to be Department of Justice where's the justice to/for those Citizens that Officer Lyland C. Crocilla abused, I know you should have a record of Crocilla abusive-ways to the Citizen of City of New York.

**To Deputy Chief Stephanie Minoque, Police Accountability & New York County District Attorney's Office**

Please do safe me the B's excused. It seemed to me those blockerages you've been giving me and denying me honest true-Justice is unjust and unfair also denied me my Constitutional lawful Rights of Due Process. Your Excused that you gave me for bring Criminal Charges against the Officers especially Officer Lyland C. Crocilla case me emotional duress when I know this officer still work for these corrupted systems and still getting paid by your corrupted systems.

- What will it take for you to do your job correctly does it have to take a future none-white person innocent blood/death in other for you to do justice/do what is right for the citizen's?
- You know those officers have record of Abusing the non-white Citizens yet refusal to pressed Criminal Charges against them that is indeed a future innocent death your refused.
- Please be honest with me what will it take for you to be honest with yourself and do your darn job criminal charge Officers Lyland C. Crocilla in the name of his future Victims.

**MTA, MTA 34<sup>th</sup> Precincts & Police Department Internal Affairs**

**Bureau:**

They said one/few bad apples destroy the bunch indeed in this case is it one-hundred percent rights:

- My question's I have for you is how many innocent future victims will you need to be in your books and paid in civil actions before you threwed out completely those bad apples in/out of your books?

- You must indeed loves paying out monies that you charge high fees to the publics so you can pay out civil actions sue that brought against your bad apples?
- How many future dead-bodies of none-white does those bad apples need to bring to your business/organization before you throw them?
- I have nothing against you nor your organization, if I can be honest, I respect the MTA especially the train systems. But I do not respect the MTA for allowing bad apples whom damages/doing unjust to the public still works in your books
- I see it as weak, MTA you ran fast train and you're a big organization but yet you allowed bad apples to make you looks weaks, evil in the eyes of the public. Knowing that Lyland C. Crocilla still work for MTA after what he has done to me and other clients, I lose every ounces of respect I have for the MTA.
- No amounts of money you can pay me can take away what's have done to me, can you turn back times to remove/wipe out the past?
- Your amounts of monies will not bring peace in my soul nor will bring happiness to me because I will still have the horrified-horrible memories of what have done to me in the past.

**Metropolitan Authority Police Benevolent Association:**

You indeed a Guilty Union

How can you sleep at night that you well known their bad apples  
officers that your organizations are protecting?

- How much more innocent(s) innocents' victims do you need in other to do rights by the Citizens and fired those bad-apples officers.
- How many future blood-shied that you want to be in your hands before you make a stand?
- Is your Union being the modern-day Communist Police Brutally?
- Why you still have those officers and Officers Lyland C. Crocilla in your Union books after well know how many civil actions that are/brought against them.
- How many more victims is your Union will continue to allow?

**Plaintiff:**

**According to New York law why is that the state of New York denying me such laws/justice/ requested when I had request for the information's under these laws?**

**Relates to the disclosure of law enforcement disciplinary records.**

**S8496 (ACTIVE) - SPONSOR MEMO**

BILL NUMBER: S8496

SPONSOR: BAILEY

**TITLE OF BILL:**

An act to amend the civil rights law and the public officer's law, in relation to the disclosure of law enforcement disciplinary records; and to repeal section 50-a of the civil rights law relating thereto

**PURPOSE:**

To repeal Civil Rights Law § 50-a.

**SUMMARY OF PROVISIONS:**

**Section 1 repeals Civil Rights Law § 50-a.**

14.) Section 2 defines law enforcement agency (including police agencies and departments, sheriff's departments, the Department of Corrections and Community Supervision, local corrections and probation departments, fire departments, and forces of individuals employed as firefighters or

[VIEW MORE \(90 LINES\)](#)

S8496 (ACTIVE) - BILL TEXT

STATE OF NEW YORK

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8496

IN SENATE

June 6, 2020

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Introduced by Sen. BAILEY -- read twice and ordered printed, and when  
printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law and the public officer's law, in  
relation to the disclosure of law enforcement disciplinary records.  
and to repeal section 50-a of the civil rights law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND  
ASSEM-

BLY, DO ENACT AS FOLLOWS:

Section 1. Section 50-a of the civil rights law is REPEALED.

§ 2. Section 86 of the public officer's law is amended by adding four  
new subdivisions 6, 7, 8 and 9 to read as follows:

6. "LAW ENFORCEMENT DISCIPLINARY RECORDS" MEANS ANY RECORD  
CREATED IN

FURTHERANCE OF A LAW ENFORCEMENT DISCIPLINARY PROCEEDING,  
INCLUDING, BUT  
NOT LIMITED TO:

(A) THE COMPLAINTS, ALLEGATIONS, AND CHARGES AGAINST AN EMPLOYEE.

(B) THE NAME OF THE EMPLOYEE COMPLAINED OF OR CHARGED.  
(C) THE TRANSCRIPT OF ANY DISCIPLINARY TRIAL OR HEARING, INCLUDING ANY EXHIBITS INTRODUCED AT SUCH TRIAL OR HEARING.  
(D) THE DISPOSITION OF ANY DISCIPLINARY PROCEEDING; AND  
(E) THE FINAL WRITTEN OPINION OR MEMORANDUM SUPPORTING THE DISPOSITION  
AND DISCIPLINE IMPOSED INCLUDING THE AGENCY'S COMPLETE FACTUAL FINDINGS  
AND ITS ANALYSIS OF THE CONDUCT AND APPROPRIATE DISCIPLINE OF THE COVERED EMPLOYEE.

7. "LAW ENFORCEMENT DISCIPLINARY PROCEEDING" MEANS THE COMMENCEMENT OF ANY INVESTIGATION AND ANY SUBSEQUENT HEARING OR DISCIPLINARY ACTION CONDUCTED BY A LAW ENFORCEMENT AGENCY.  
8. "LAW ENFORCEMENT AGENCY" MEANS A POLICE AGENCY OR DEPARTMENT OF THE STATE OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING AUTHORITIES OR AGENCIES MAINTAINING POLICE FORCES OF INDIVIDUALS DEFINED AS POLICE OFFICERS IN SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, A SHERIFF'S DEPARTMENT, THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, A LOCAL DEPARTMENT OF CORRECTION, A LOCAL PROBATION DEPARTMENT, A FIRE DEPARTMENT, OR FORCE OF INDIVIDUALS EMPLOYED AS FIREFIGHTERS OR FIREFIGHTER/PARAMEDICS.

EXPLANATION—Matter in ITALICS (underscored) is new, matter in brackets

[] is old law to be omitted.

### **In Conclusion**

The Rules, Laws and Regulations should be abiding by everyone does not matter what positions or governments agencies works/part/members of/groups/parties belongs too. This is America there should not be two-tiers of rules, rules for thee not for me. The Deputy Chief Police Accountability Unit New York County District Attorney's Office, Metropolitan Authority Police Benevolent Association, MTA, DOJ, The City Of New York, et al, should be fair and just to the/victim(s). Give the victims peace and justice for the sick of justice criminal charges the individual(s) who committed the crimes/offense work for the systems.

- I am requesting this Court to grant me justice by Criminal Charge Officer Lyland C. Crocilla for his wrong-doing for his attack to a civilian who wasn't committed no crime/no offense.
- I am also requesting the Court and You Judge to make sure the other officers whom part taking/whom allowed Officer Lyland C. Crocilla to abused his powers & authorities/his behaviors they did not stop him nor point out his evil-wrong doing
- they should be fired and should not work with no companies that they can accessed the publics information's.
- Those Officers should be responsible and have accountabilities' for Lyland C. Crocilla actions.
- I am requesting Criminal Charges should be brought against Lyland C. Crocilla

### **Name Correction:**

**I am also reminding the Court the way the spell my name on their record is in correct please do correct**

**My name spells**

**Queen'Prinyah Godiah NMIAA Payne's El-Bey**

**The NMIAA is abbreviate because my name indeed s long.**



8/26/2021

Attention: HRA East End Center (802)

2322 Second Avenue, NY, NY 10035

To Whom it May Concern,

Prinyah Elbey DOB 4/18/1993 is a client at the Bronx Health Center and started taking Mirtazapine 7.5mg four days ago. She is being treated for major depressive disorder and post-traumatic stress disorder. Any questions may be addressed to:

Peter Bulow MD

  
Peter Bulow MD  
8/26/2021

UNITED STATES SUPREME COURT,  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK  
&  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

Supreme Court #:  
&

FEDERAL COURT INDEX#:  
20-CV-0524(MKV)

Queen'Prinyah Godiah NMIAA Payne's El-Bey

Plaintiff

-against-

Defendant's:

Crocilla, Cona, Michels, Porter, Vollas, Ward  
Metropolitan Authority Police Benevolent Association & Police Benevolent Association  
Metropolitan Transportation Authority, MTA & MTA 34 precinct @ Penn Station, The  
City Of New York, Bellevue Hospital,  
Bellevue Hospital, et al.,

8/

Index#:

**Affidavit**

**Grievance plead letter to Supreme Court  
to Criminal Charge Officer Lyland C. Crocilla**

**for the crime that was done to me, this is my last-hope for true-justice**

Dear, Supreme Court the Highest Court of the Land.

You're indeed the highest court of the lands.

You indeed make/created the laws, rules, regulations and/or interprets the laws.

As the highest Court of the land I am turning to you for last hope of true Justice.

When the laws' breach/broken True-Justice must prevailed. I am turning to you for hope with heavy heart and burdens of this case that is in the hand of federal court. I was told if I add certain party in my amend complain that the judge would remove it but the same job stated that I was able to file another sue and bring other parties in this case. As a Pro-Se am not sure if that is legal or correct but I am doing accordingly what I was told. After all I am not a Judge nor an Attorney all I have been asking and still asking is true-Justice for the wrong that Officers Lyland C. Crocilla done to me.

They said the laws changes and there are police reforms if that is the honest true/ the honest cases why is so hard for the officers to be criminal charges and why am I as a person who is the victim that those officers abused that I cannot/ I have been denied over and over request access to the investigation that I was told taking place according to what I understood by Stephanie Minogue Assistant District Attorney Public Corruption Unit New York County District Attorney's Officer since she claimed and she seemed she is powerless to Criminal Charges Officer Lyland C. Crocilla under the laws, I am

honestly turning to you for last-hope and if I failed in your systems I am indeed planning on taking this case completely outside the Jurisdictions of the United States of America in the hope the courts of internationals one of them shall find those officers especially officer Lyland C. Crocilla guilty and Criminal Charges him for the wrongdoing he have done to me as a person-who have pre-existing health conditions and who is disable.

This case for me is not about money but is one-hundred percent about true-justice. In the hope the Highest court of this land can granted me my heart desires, my heart requested Criminal Charges officer Lyland C. Crocilla.

*Alecia Rayah Goddah  
AMIA A. Payne's Edg  
Sept 8, 2021*

On this 8<sup>th</sup> day of September, 2021  
Before me came Alecia Rayah Goddah N.M.I.A.A. Payne's El-Bey  
to me known to be the individual described in and  
who executed the foregoing instrument and  
acknowledged that he/she executed the same

*Bonny Algozzine*  
BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 7/1/2023

**BELLEVUE HOSPITAL**

Attention Legal Department @ BELLEVUE HOSPITAL:

462 First Avenue, New York, NY 10016

**Dr. Porter @ Bellevue Hospital**

462 First Avenue, NY 10016

**Jessica Bonnie Poster, MD @Bellevue Hospital**

462 First Ave NYC 10016

**Aiden Rose Shapiro, MD/ED Supervisory @Bellevue Hospital**

462 First Ave, NYC 10016

**Amy A. Costa Social Worker @Bellevue Hospital**

462 First Avenue, NYC 10016

**Marina Rosa Gabaga RN @ Bellevue Hospital**

462 First Av, NYC 10016

**Audia Williams RN @Bellevue Hospital**

462 First Ave, NYC 10016

**William Plowe, MD @ Bellevue Hospital**

462 First Av, NYC 10016

**Shawnmarie Jackson, NP @ Bellevue Hospital**

462 First Ave, NYC 10016

**Marina Dela Rosa Gabaya RN @ Bellevue Hospital**

462 First Ave, NYC10016

**Kyle Pastenac, MD @ Bellevue Hospital**

462 First Av, NYC 10016

**Dawa Lhamo Dadak, RN**

462 First Av, NYC 10016

New York State

Please forward to legal Dept/Right Dept

New York Secretary of State Corporations Division

Address: One Commerce Plaza, 99 Washington Ave, Albany, NY 12231-0001

**MTA**

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

&

MTA's Officers

PO Michels

ID# 4012

PO Lyland Crocilla

ID#:2477

SGT Vollas

ID# 414

Patrol Supervisor LT. Cona

ID#63

EMS Ward

ID#2396

MTA Police Dept Internal Affairs Bureau  
420 Lexington Av, Suite 630 NYC 10170

Metro Politan Authority Police Benevolent Association  
MTA PBA 165 North Village Av Rockville Center  
NY 11570 (516)823-8930

**The mayor Office**

Attention: Bill De Blasio

City Hall, NYC 10017

Civilians Complaint Review Board

100 Church Street, 10<sup>th</sup> Floor

New York, NY 10007

**New York City**

City of New York, Attn: Corporation Counsel,

100 Church St., 5<sup>th</sup> Fl., New York, NY 10007

**Department of Investigation**

180 Maiden Lane, 16<sup>th</sup> Floor

New York, NY 10038

**New York City Department of Health**

Elizabeth F. Whalen, MD, MPH, Commissioner

Please forward to legal/right dept.

175 Green Street Albany, NY 12202Phone

(518) 447-4580Fax (518) 447-4698

**New York New York Secretary of State**

123 William Street

New York, New York, 10038

212-417-5800

**The National Police Accountability project**

499 Fashion Av, NYC 10018

**Bureau & Unit District Attorney Office in Manhattan**

One Hogan Place, NYC 10013

Uninformed EMS Officers Union, AFSCME  
125 Barclay St Suite 743  
NY NY 10007

**District Attorney/Public Corruption Unit**

Civil Right Division:

Attention Chief Civil Rights Unit

86 Chambers Street 3<sup>rd</sup> Floor, NYC 10007

**Police Accountability Unit**

Attention National Police Accountability Unit

499 Fashion Ave, NYC 10018

**Department of Justice (DOJ)**

United States Department of Justice

950 Pennsylvania Av, NW

Washington, Dc 20530-0001

**District Attorney, Public Corruption Unit**

Civil Division Attention Chief Civil Rights Unit

86 Chambers Street 3<sup>rd</sup> Floor

NYC 10017

**Police Accountability Unit**

Attention: The National Police Accountability

99 Fashion Av, NYC 10018

Office of Internal Affairs

**Office of Internal Affairs**

Attention Deputy Commissioner of Internal Affairs

P.O. Box 10001, NYC 10014

(212)741-8401

EMS Ward.

# Incident Report

## M.T.A. POLICE DEPARTMENT

20-595

Supplement No  
ORIG

420 LEXINGTON AVENUE  
SUITE 425  
NEW YORK, NY 10170  
(212) 878-1000

Reported Date  
01/09/2020  
Nature of Call  
**AIEDPN**  
Officer  
**CROCILLA, LEYLAND**

**Administrative Information**

Agency <b>M.T.A. POLICE DEPARTMENT</b>	Case No <b>20-595</b>	Supplement No <b>ORIG</b>	Reported Date <b>01/09/2020</b>	Reported Time <b>03:33</b>	CAD Call No <b>200090056</b>
Status <b>AIED REMOVED TO HOSPITAL</b>	Nature of Call <b>AIED--EDP-N</b>				
Location <b>W 34TH ST/7TH AV</b>				<b>CITY</b> <b>MANHATTAN</b>	<b>Rep Dist</b> <b>MPST02</b>
Beat <b>NA</b>	From Date <b>01/09/2020</b>	From Time <b>02:41</b>	To Date <b>01/09/2020</b>	To Time <b>02:41</b>	
Officer <b>C86673/CROCILLA, LEYLAND</b>				<b>Assignment</b> <b>PATROL OFFICER</b>	<b>2nd Officer</b> <b>MICHELS, DOUGLAS</b>
Entered by <b>C86673</b>	Assignment <b>PATROL OFFICER</b>	RMS Transfer <b>Successful</b>	Property? <b>None</b>	Transit ID <b>NONE</b>	Org Nature of Call <b>AIEDPN</b>
CTV <b>County of New York</b>	Approving Officer <b>C86614</b>			Approval Date <b>01/11/2020</b>	Approval Time <b>19:38:07</b>

**Person Summary**

Invl <b>AID 1</b>	Invl No <b>I</b>	Type <b>I</b>	Name <b>EL BEY, PRINYAH GODIAH</b>	MNI <b>844508</b>	Race <b>B</b>	Sex <b>F</b>	DOB <b>04/18/1993</b>
Invl <b>EMS 1</b>	Invl No <b>G</b>	Type <b>G</b>	Name <b>WARD</b>	MNI <b>844509</b>	Race	Sex	DOB
Invl <b>MED 1</b>	Invl No <b>I</b>	Type <b>I</b>	Name <b>DR PORTER</b>	MNI <b>844510</b>	Race	Sex	DOB
Invl <b>MOS 1</b>	Invl No <b>G</b>	Type <b>G</b>	Name <b>PO MICHELS</b>	MNI	Race	Sex	DOB
Invl <b>MOS 2</b>	Invl No <b>G</b>	Type <b>G</b>	Name <b>PO CROCILLA</b>	MNI	Race	Sex	DOB
Invl <b>PSV 1</b>	Invl No <b>G</b>	Type <b>G</b>	Name <b>SGT VOLLAS</b>	MNI	Race	Sex	DOB
Invl <b>PSV 2</b>	Invl No <b>G</b>	Type <b>G</b>	Name <b>LT CONA</b>	MNI	Race	Sex	DOB

**Vehicle Summary**

Invl <b>AMB 0</b>	Type <b>7C</b>	License No <b>NY</b>	State <b>2020</b>	Lic Year <b>2020</b>	Year <b>2020</b>	Make <b>*AMB</b>			
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**Summary Narrative**

Patrol pick up of a female/EDP in front of the ticket windows. One violent female EDP removed to Bellevue Hospital along with a police escort.

Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>	Page 1 of 3
Supervisor Signature		

MTA-000007

**Incident Report****20-595**Supplement No  
ORIG**M.T.A. POLICE DEPARTMENT****AIDED 1: EL BEY, PRINYAH GODIAH**

Involvement <b>AIDED</b>	Seq <b>1</b>	Type <b>INDIVIDUAL</b>	Name <b>EL BEY, PRINYAH GODIAH</b>	MNI <b>844508</b>	Race <b>BLACK</b>	Sex <b>FEMALE</b>
DOB <b>04/18/1993</b>	Age <b>26</b>	Juvenile? <b>NO</b>				
Type <b>HOME ADDRESS</b>		Address <b>40 ANN ST</b>		City <b>NEW YORK</b>		
State <b>NEW YORK</b>	ZIP Code <b>10038</b>					

Type <b>OPERATOR LICENSE/STATE ID CARD</b>	ID No <b>16240839045608</b>
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Employer/School  
**NONE****Medical**

Nature of Illness

**VIOLENT EDP**

Treatment

**REMOVED TO BELLEVUE HOSPITAL BY FDNY EMS/POLICE ESCORT****EMPLOYEE-SIRTOA 1: WARD**

Involvement <b>EMPLOYEE-SIRTOA</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>WARD</b>	MNI <b>844509</b>
Type <b>EMS/FIRE ID NUMBER (SHIELD-ETC)</b>	ID No <b>2396</b>			
Employer/School <b>FDNY</b>		Position/Grade <b>EMT</b>		

**MEDICAL PERSONNEL/DOCTOR 1: DR PORTER**

Involvement <b>MEDICAL PERSONNEL/DOCTOR</b>	Seq <b>1</b>	Type <b>INDIVIDUAL</b>	Name <b>DR PORTER</b>
MNI <b>844510</b>			
Employer/School <b>BELLEVUE HOSPITAL</b>		Position/Grade <b>DOCTOR</b>	

**MEMBER OF SERVICE-MTA 1: PO MICHELS**

Involvement <b>MEMBER OF SERVICE-MTA</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>PO MICHELS</b>
Type <b>PD SHIELD</b>	ID No <b>4012</b>		
Employer/School <b>MTA POLICE DEPT</b>		Position/Grade <b>P.O.</b>	

**MEMBER OF SERVICE-MTA 2: PO CROCILLA**

Involvement <b>MEMBER OF SERVICE-MTA</b>	Seq <b>2</b>	Type <b>GOVERNMENT</b>	Name <b>PO CROCILLA</b>
Type <b>PD SHIELD</b>	ID No <b>2477</b>		
Employer/School <b>MTA POLICE DEPT</b>		Position/Grade <b>P.O.</b>	

**PATROL SUPERVISOR 1: SGT VOLLAS**

Involvement <b>PATROL SUPERVISOR</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>SGT VOLLAS</b>
Type <b>PD SHIELD</b>	ID No <b>414</b>		
Employer/School <b>MTA POLICE DEPT</b>		Position/Grade <b>SERGEANT</b>	

**PATROL SUPERVISOR 2: LT CONA**

Involvement <b>PATROL SUPERVISOR</b>	Seq <b>2</b>	Type <b>GOVERNMENT</b>	Name <b>LT CONA</b>
Type <b>PD SHIELD</b>	ID No <b>63</b>		
Employer/School <b>MTA POLICE DEPT</b>		Position/Grade <b>LIEUTENANT</b>	

Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>	<b>Page 2 of 3</b>
Supervisor Signature		

**MTA-000008**

# Incident Report

## M.T.A. POLICE DEPARTMENT

20-595

Supplement No  
ORIG**Vehicle: 7C**

Involvement	Type	License No	State	Lic Year	Lic Type	Year
<b>AMBULANCE - GENERAL</b>	<b>AMBULANCE</b>	<b>7C</b>	<b>NEW YORK</b>	<b>2020</b>	<b>AMBULANCE</b>	<b>2020</b>

Make

**AMBULANCE - GENERAL****Narrative**

On January 9, 2019 at approximately 0241 hours, undersigned officers observed a black female in a wheelchair yelling and screaming for no apparent reason. The female/EDP stated "you white red neck cops are harassing me, I pray to Allah that you get killed with a rifle, I'm gonna come back and kill you fags and I want an ambulance".

Upon escorting the female/EDP up to the 34 Street entrance, the female EDP did pick up a cone and attempt to throw it at undersigned officers. The female EDP did attempt to scratch undersigned officers and did attempt to strike us with both her hands. The female/EDP was rear cuffed and escorted into the ambulance for transport along with all of her property. The female/EDP was lodged at CPEP located at Bellevue Hospital for a psychiatric evaluation.

Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>	Page 3 of 3
Supervisor Signature		

**MTA-000009**

United States District Court  
Southern District Of New York

X

20-CV- 0524(MKV)

**Motion:**

**Movant Matter of The Law**

**To Criminal Charge**

**Officer Lyland C. Crocilla**

**&**

**to Fired Officer Crocilla**

**Partner/other officers.**

Queen'Prinyah Godiah NMIAA Payne's El-Bey

Plaintiff

-Against-

Defendant's:

Crocilla, Cona, Michels,Porter, Vollas, Ward

Metropolitan Authority Police Benevolent Association & Police Benevolent Association

Metropolitan Transportation Authority, Policed Accountability... New York County

District Attorney's Office, MTA & MTA 34 Precinct @ Penn Station, et al,..

Dear, Judge MARY KAY VYSKOCIL

You are indeed a far, honest Judge and a Judge that abide by the laws and the oaths that you took.

I am putting this request of Motion to Movant Matter of the Laws that Officers Lyland C. Crocilla had breached the laws and according to Stephanie Minogue Deputy Chief Police Accountability Unit her stated email " I do want to let you know that both officers are still going to face disciplinary charges because of the work hat Lieutenant Hosein with the MTA's Internal Affairs Bureau did in investigating your case. The Fact that we can't go forward with criminal charges is not going to change that."

Honestly am not sure if they have the power/authority(ies) to pressed Criminal Charges and if they can't who does, then. Also, I had been requesting copies of the investigations so I can properly understand so far have been done, my requested returned void to me. I honestly will not rest until Criminal Charges have been assigned against Officer Lyland C. Crocilla, this MTA officer have abuse his powers, positions and authorities to attack the public, to stalked, bullying, harassed and threaten so forth his victims yet this Officer after everything he have done to me, put me through, stalking me on social media, harassed me and threaten my life and those who I love in order to keep me silence still work as an officer.

How many people need to be endangered or be kills before the systems, the organizations, the Unified Courts Systems to put a stop into Officer Lyland C. Crocilla Abuser authorities' behaviors/ways.

- I thought they were police reform laws if that is the case why this officer still has his job?
- Why this officer style has access to the systems where he can continued victimize his victims?
- How can I have peace when I know Officer Lyland C. Crocilla still have access and style works for the systems because am in fear for my life and my safety I hand up have to be low-key. I hand up closing all of my social media's including my Youtube Accounts had to became private because of Officer Lyland C. Crocilla Bullying, Harassment's and threaten, I had turn all of the details and gave accesses to all of my personal information's including my social media's and Youtube accounts access to the Internal Affairs Bureau yet after this Officer turns my life upside down, caused me PTSD that I was diagnosed, depression and other medical stuffs by my doctors that am under medications and treatment's for them plus other traumas that he left me with yet he still have access to the system as police officer, a fast Google Search shown other cases that this Officer have against him. Since the Internal Affair Bureau refused to follow the laws the Court are there to make sure the laws are followed. I cannot and I will not accept any forms kind of cash/fiats settlements without Criminal

Charge Officer Lyland C. Crocilla, he needs to be Criminal Charge that is one of my settlement demands.

- Since the Internal Affairs Bureau refused to give me the information's that I need and denying me fairness of Due-Process by denying me access to the report am also requesting you Judge and the Court to request those record from them along with information's from the Foil that will shown over and over again how Officer Lyland C. Crocilla abuse his powers, authorities to breach the laws, and since the Union that he is under refused to fired him allowed him free access to the systems to continue his abusive behaviors to his victims it is sad. Lyland C. Crocilla turn my life upside down, put fears of life and fears for safety for my loves one that I cannot be normal nor enjoy my life as I used too, so I'm requesting the Court and you Judge follow the laws/to abide the laws and granted me what I have been requesting after the attack that is Criminal Charges need to be pressed against the officers that will be the only hope of peace I can get knowing that by him having criminal charges against him and he is fire he will never used his powers and authorities to abuse it any more to anyone, any future public victims. My only peace and my only desire Judge are to have Lyland C. Crocilla to be Criminal Charge for the crimes of abuse he has done to me that is my only plead to you Judge and to the Court....
- I am asking the Court and you Judge put yourself in my shoe if you were in my position that suffered pre-existing health conditions that is disable and was not doing anything wrong/nor crimes nor created disturbing the public yet an officer approached you after using a public bathroom, pull up his golf cart in front of you with heavy flash-light got off the vehicle touch you unappropriated on your side and you made several requested total of five to have a female officer to be there deal with whatever the male officer have rather that was granted when the officer well-know he is violating your constitutional rights freedom of religion because you're a Muslim and as you requested for female officer your requested was ignored rather racist-slur was throwing at you, and false imprisonments for no reason and still this day still does not know why?.. If you were in my position Judge all you be asking after the attack is for Justice is for Officer Lyland C.

Crocilla to be criminal charge yet all you got is block from the systems rather protect and help the victims in this case the systems are protected the abuser.

- The Officer breach/broke the laws, the officer abuses his power, his authorities and his trust to the public, how much none-white have to be abused before another-one/one died again in the hands of this officer in other for true justice be serve to the victim (s)?
- If the Systems in New York refused to granted me True Justice I will have to move this case out of state or out the Country because I want Criminal Charges to be brought against Officer Lyland C. Crocilla.

### **The laws stated:**

- In New York, **harassment** is a **crime**, and the maximum penalty is imprisonment up to four years. Each of the four types of harassment in New York has an intent element where the defendant must intend to harass, annoy, or alarm the victim. For the more severe forms of harassment, the victim must have reasonably become apprehensive.
- Yet the Union Metropolitan Authority Police Benevolent Association & Police Benevolent Association Metropolitan Transportation Authority, Stephanie Minogue Deputy Chief Police Accountability Unit, MTA and the City of New York

The policeman or law enforcement official who caused the harassment has demonstrated a pattern of harassing behavior.

- The policeman who caused the harassment did not have probable cause or an appropriate warrant for an arrest.
- The excessive force used by the policemen caused serious injury or death.

### **New York Penal Law § 240.21 - 240.32**

- **First-Degree Harassment**

Harassment in the first degree, a class B misdemeanor, occurs when the defendant's conduct results in a victim being placed in reasonable fear of physical injury. The maximum penalty is three months' incarceration and a year's probation.

➤ **Second-Degree Harassment**

When someone applies physical force to another person, follows that person around in public places or engages in conduct intended to alarm or seriously annoy the person, this constitutes second-degree harassment. As in all harassment cases, the defendant must have the intent to harass, annoy or alarm the person, and the course of conduct can have no legitimate purpose. Second-degree harassment is a violation, and the maximum punishment is 15 days in jail.

➤ **First-Degree Aggravated Harassment**

New York saves its stiffest sanctions for first-degree aggravated harassment, a class E felony with a maximum penalty of four years' imprisonment. Defined as intentionally setting out to annoy, threaten or alarm someone because of race, color, national origin, gender, religion, age, disability or sexual orientation, the charge also needs the intent to commit one of the following acts: damage religious property, place a swastika on real property without the owner's permission, set a cross on fire in public or place a noose on real property without the owner's permission.

➤ **Aggravated Harassment in the Second Degree**

Aggravated harassment in the second degree occurs when, with the intent to harass, annoy, threaten, or alarm another person they:

- communicate with a person, anonymously or not, by telephone, mail, or other written communication in a manner likely to cause annoyance or alarm.

- causes a communication of this kind to take place.
- makes a telephone call, whether or not a conversation takes place, with no purpose of legitimate communication;
- strikes, or attempts or threatens to strike, a person on account of their perceived race, color, national origin, ancestry, gender, religion, age, disability, or sexual orientation.
- strikes someone causing an injury to them; or
- is a repeat harassment offender.

➤ **SECTION 240.30**

➤ **Aggravated harassment in the second degree**

**Penal (PEN) CHAPTER 40, PART 3, TITLE N, ARTICLE 240**

**§ 240.30 Aggravated harassment in the second degree.**

A person is guilty of aggravated harassment in the second degree when:

1. With intent to harass another person, the actor either:

(a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, or a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or

(b) causes a communication to be initiated anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause

such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or

2. With intent to harass or threaten another person, he or she makes a telephone call, whether a conversation ensues, with no purpose of legitimate communication; or
3. With the intent to harass, annoy, threaten or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of a belief or perception regarding such person's race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or
4. With the intent to harass, annoy, threaten, or alarm another person, he or she strikes, shoves, kicks, or otherwise subjects another person to physical contact thereby causing physical injury to such person or to a family or household member of such person as defined in section 530.11 of the criminal procedure law; or
5. He or she commits the crime of harassment in the first degree and has previously been convicted of the crime of harassment in the first degree as defined by section 240.25 of this article within the preceding ten years.

Aggravated harassment in the second degree is a class A misdemeanor.

➤ **Third-Degree Stalking**

Third-degree stalking occurs when a person intends to harass, annoy or alarm someone and acts in a way likely to cause the victim to fear physical injury, sexual assault, kidnapping or death, either personally or to a family member. This is a class A misdemeanor, which may bring up to a year's imprisonment and three years' probation.

### **1.) Police Brutality:**

**Police brutality** is the excessive and unwarranted use of force by law enforcement. It is an extreme form of police misconduct or violence and is a civil rights violation. It also refers to a situation where officers exercise undue or excessive force against a person. Police violence includes but is not limited to physical or verbal harassment, physical or mental injury, property damage, inaction of police officers, and in some cases, death.

- Individual persons like myself as a pro se can actively sue an officer that is suspected of violating someone's civil rights or causing death, serious bodily harm, or injury. Qualified immunity will not be a sufficient response in cases of officers violating the rights granted by the Bill of Rights and the Amendments of the Constitution (24-31-904).

Let me remain The Officers who Attack me, The City of New York, Those Unions that Support those Officers brutal behaviors & the MTA.

### **3.) Police Misconduct:**

- \* As civilians, we expect that police officers will protect and serve our communities, as required by their oath. However, some police officers abuse their power and harass innocent citizens. Police harassment occurs when an officer arbitrarily or continually stops someone. Officers may engage in aggressive questioning of an innocent person or conduct an illegal.
  - > Since Police harassment is different to/from police misconduct as it refers to an officer continuously stopping, aggressively questioning, or searching someone, without proper legal grounds to do so. Here are some more forms of police harassment:

- Using excessive force
- Making comments of a racist, homophobic, or sexist nature
- Doing illegal surveillance on someone
- Holding someone against their will

- Police misconduct encompasses several different types of claims against the police, including discrimination, false arrest, and excessive use of force in view of the circumstances.
- That I indeed had suffered all/both under Officer Crocilla and his Partners-Mafia Workers:
- 34 U.S.C. § 12601

#### **§12601. Cause of action**

##### **(a) Unlawful conduct**

It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

##### **(b) Civil action by Attorney General**

Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1)<sup>1</sup> has occurred, the Attorney General, for or in the name of the United States, may in a civil action obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

(Pub. L. 103–322, title XXI, §210401, Sept. 13, 1994, 108 Stat. 2071.), CITE:

34 USC 12601

#### **42 USC § 14141 (2011)**

##### **§14141. Cause of action(a) Unlawful conduct**

- It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons

#### **4.) Constitutional Right's**

The Constitution's 5th and 14th amendments prohibit all levels of government, which includes the police, from unfairly or arbitrarily depriving individuals of their rights to life, liberty, and property.

- All United States people, regardless of immigration or citizenship status, have rights should they be stopped or detained by police, that include the following protections by the U.S. Constitution's 4th, 5th, and 6th Amendments:

**Color Laws:** To say out loud that they wish to remain silent,

To refuse search of one's body, car, or home without probable cause,

- "under color of state law." Under color of state law does not mean action taken pursuant to state law, instead "a misuse of power possessed by virtue of state law and made possible only because the actor is colored with authority of state law" constitutes "color of law."

\* *Monroe v. Pape*, 365 U.S. 167 (1961).

#### **5.) The "Due Process" of Law**

My due process was violation because when the police arbitrarily stop, detain, or demand information from a citizen when no crime is being committed, and with no apparent evidence that a crime may be committed. In these situations, if Native American that part taking to be part of America-citizen is stopped by police but not detained or arrested for a crime, they are not required to answer officer questions and are lawfully free to leave an interrogation. Yet, Officer Crocilla and his Mafia Gangs workers-breach my due process rights.

#### **6.) Racial Profiling:**

Title VI of the 1964 Civil Rights Act made illegal use of "public" funds to discriminate based on race, color, and national origin. So, when an American citizen has been unlawfully stopped or detained by police whose salaries are paid by citizen's tax dollars, it's referred to as "racial profiling" and is a violation of Title VI.

- This type of conduct by police also violates a citizen's Constitutional "due process" rights and is considered harassment. In addition to the above types of conduct, police harassment includes illegal detention; racial and ethnic profiling; making racist, sexist, and homophobic remarks; illegal surveillance and spying; and illegal search and seizure of property.
- discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion, or national origin. Yet Officer Crocilla and his Partners in Crime committed a crime when they decided to racial profile me for being Native American, Brown and for practice my Constitutional religious rights for being a Muslim; because according to Crocilla statement "observed a black female in a wheelchair yelling and screaming for no apparent reason."
- Why every-so call-white people group called everyone that is not white like themselves "black," am not black am brown get my skin-color and my race correct since your statement clearly shown that your racial profiling me.
- Because Surveillances Camera's inside the stations clearly shown when I came out of the bathroom and everything that happen plus when they got inside the elevator with me, I knew such fact and also when I had to meet with Detectives Derek Hosein, Edward Johnson and Deputy Chief Stephanie Minogue Assistance District Attorney from Police Accountability Unit at 1 Hogan Place, room 755 New York, NY 10013, phone number (212) 335-9099 who sat me down and shown me the surveillance's cameras step by steps I had to explained to them what took place the only surveillance's that they did not have is the elevator one since the one inside the elevator was not work/out of services and before they asked me I told them the cameras inside the elevators was not working because Officers Crocilla told his partner that, they knew the elevator is out of service, evidence exhibits email's to contact those individual's will be added.
- According to Officer Crocilla Statement" you white-red neck cops are harassing me, I pray to Allah that you get killed with a rifle, I'm gonna come back and kill you fags, and I want an ambulance". First, this statement is a lie,

yes, I did call him a red-neck before this accident when that day I was waiting for my group meeting friends next to shake-shack restaurant when they came harassed me. They came to target me first for just waiting inside Penn Station for friends and yes I did straight them out on their harassment's bullshits attack on me for just simply waiting inside the station for friends and yes heck am from deep down south where I stand my ground would not allowed anyone to attack me or abused me if I know I am not guilty and I do not care whom they are I was waiting in a public space Officer Crocilla harassed me for not doing nothing is illegal.

Officer Crocilla Statement "I'm gonna come back and kill you fags and I want an ambulance". Upon escorting the female."

## **7.) My Civil Rights Protections Under the Law was violated?**

Section 1983 of the Act prohibits the police from violating another person's civil rights.

Other provisions of state law add to those protections. An individual whose rights have been abused by a policeman or other government official may have a cause of action under Section 1983 against both the policeman or official that caused the abuse and the local government entity that employs the policeman.

### **➤ Title 18, U.S.C. §242**

- §242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten

years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

- (June 25, 1948, ch. 645, 62 Stat. 696 ; Pub. L. 90-284, title I, §103(b), Apr. 11, 1968, 82 Stat. 75 ; Pub. L. 100-690, title VII, §7019, Nov. 18, 1988, 102 Stat. 4396 ; Pub. L. 103-322, title VI, §60006(b), title XXXII, §§320103(b), 320201(b), title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 1970 , 2109, 2113, 2147; Pub. L. 104-294, title VI, §§604(b)(14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507 , 3511.))
- Graham v. Connor, 490 U.S. 386 (1989), Johnson v. Glick, 481 F.2d 1028.

#### **8.) False-Arrest/Detained:**

false arrest in this action for, inter alia, alleged false arrest, false imprisonment, malicious prosecution, and violations of 42 USC § 1983, defendants move seeking an order granting them summary judgment pursuant to CPLR § 3212.

Specifically:

is the unlawful restraint of a person's freedom of movement. It can occur any time one person:

- holds another individual against his or her will or/and the deprivation was not consensual.
- takes another individual into custody without consent or without legal justification to do so/ that deprivation compels the victim to go somewhere or to stay somewhere for an appreciable time, and
- False arrest is an intentional tort. That means the person who committed it must have done so purposefully.
  - 1.) a victim can demand the officer face repercussions for their false arrest. In the most egregious cases, the officer could get fired. He or she could also be suspended or retrained.

➤ **Malicious Prosecution and False Arrest as a Civil-Rights Violation:**

In addition to any state-law claims, malicious (criminal) prosecution and false arrest are record as separate violations of a person's constitutional right against unreasonable searches and seizures protected by the Fourth Amendment of the U.S. Constitutions. Whether malicious-prosecution claims involve an arrest or criminal proceeding.

- The official title of "Section 1983" is the Civil Rights Act of 1871. Codified as **42 U.S.C. Section 1983**, it is commonly referred to as Section 1983. In larger terms, Section 1983 bars a person from using "color of law" to excuse a violation of constitutional rights.
- Moving past civil rights protections under Section 1983, the next section will explore unreasonable search or seizure under the Fourth Amendment.
- Whiteley v. Warden, 401 U.S. 560 (1971)-An arrest or search made by officers relying on relayed police information, a teletype, a bulletin, a warrant, etc. is only valid if the issuing officer had probable cause to make the arrest or search. It is irrelevant that the officers reasonably assumed the issuing officer had probable cause.

➤ Dunaway v. New York, 442 US 200 (1979)-The involuntary seizing of a person from his home without probable cause and compelled him to go to the station for interrogation violated the person's Fourth Amendment rights. The Miranda rights advisory does not overcome the taint of the illegal arrest. Factors that should be considered in determining whether a confession was obtained by exploiting an illegal arrest are:

➤ Hayes v. Florida, 470 US 811 (1985)-Without probable cause, consent, or judicial authorization, the investigative detention of a person for the purpose of taking him from his home to the station for fingerprinting violated the Fourth Amendment. The court further added that the police can fingerprint a suspect (not arrestee) under the following circumstances:

- The officer has reasonable suspicion that the suspect committed a crime
- That there is a reasonable basis that the fingerprints would establish or negate the suspect's involvement in the crime, and

- The fingerprinting is quickly conducted in the field
- temporal proximity of the arrest and the confession
- presence of intervening circumstances
- purpose and flagrancy of the official misconduct.

➤ Stufflebeam v. Harris, 06-4046 (8th Cir. 2008)-The Court held: Police could not arrest a passenger in a vehicle simply because he did not comply with the officer and show identification. The officer needs reasonable suspicion that the passenger is engaged in criminal conduct before compelling him to show identification. The Court stated, "...arresting Stufflebeam, a passenger not suspected of criminal activity, because he adamantly refused to comply with an unlawful demand that he identifies himself. No reasonable police officer could believe he had probable cause to arrest this stubborn and irritating, but law-abiding citizen.

#### **9.) Breach of the Laws:**

**18 U.S.C. sec. 242:** This statute is a federal statute that creates criminal liability for the intentional violation of rights granted by the Constitution or by federal statutes. As a matter of policy, the United States Justice Department reserves use of this statute for the most egregious cases. Some considerations which are considered before the Justice Department will proceed are: the extent of injuries; the availability of independent witnesses; the history of the officer involved in the incident and whether or not punitive action sufficient to satisfy federal interests have already been imposed. This statute is nearly identical to sec. 1983 in that the government must show that an officer's action, committed under color of law, has resulted in a violation of Constitutional or federally granted rights. The difficulty that federal prosecutors face when prosecuting a section 242 case is the government's burden to prove that the violation of rights was intentional.

- Officer(s) breach the Company laws when file false documents.

#### **10.) Retaliation's:**

**First Amendment Retaliation:**

- "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90-284, title I, § 103(b), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100-690, title VII, § 7019, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103-322, title VI, § 60006(b), title XXXII, §§ 320103(b), 320201(b), title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104-294, title VI, §§ 604(b)(14)(B), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

11.) **Mistreatments:**

## The Equal Protection Clause and Race

Although neither the Fourth nor the Fourteenth Amendment prohibits the use of race when it must be employed and does not result in an unfair application of the laws, the Constitution forbids police officers from targeting individuals for investigation *solely* on the basis of their race.

- “New York State Attorney General Eliot Spitzer has also expressed skepticism regarding the adequacy of the pool of reported UF-250s. As a result, the Attorney General’s Civil Rights Bureau disseminated a “Stop and Frisk Information Collection Form,” that was designed to allow individual citizens to report stop and frisk encounters. State investigators would then “compare [these forms] to the 250s to see what the correlation might be between the 250s that . . . are within the city’s repository, which is claimed by the [NYPD] to be essentially the totality of the stop and frisk universe.”

### **12.)     False reporting/lying in his report:**

- New York Consolidated Laws, Penal Law - PEN § 240.50 Falsely reporting an incident in the third degree

\* A person is guilty of falsely reporting an incident in the third degree when, knowing the information reported, conveyed, or circulated to be false or baseless, he or she:

1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a crime, catastrophe, or emergency when it is not unlikely that public alarm or inconvenience will result.

\* The Language of PC 118.1 states

\* 8 U.S. Code § 1324c - Penalties for document fraud

\* 18 U.S. Code § 1038. False information and hoaxes

(a) CRIMINAL VIOLATION. —

(1) IN GENERAL.—Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), or section 46502, the second sentence of section 46504, section 46505(b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or section 60123(b) of title 49, shall—

(A)

be fined under this title or imprisoned not more than 5 years, or both;

(B)

if serious bodily injury results, be fined under this title or imprisoned not more than 20 years, or both; and

(C)

if death results, be fined under this title or imprisoned for any number of years up to life, or both.

(2) ARMED FORCES.—Any person who makes a false statement, with intent to convey false or misleading information, about the death, injury, capture, or disappearance of a member of the Armed Forces of the United States during a war or armed conflict in which the United States is engaged—

(A)

shall be fined under this title, imprisoned not more than 5 years, or both;

(B)

if serious bodily injury results, shall be fined under this title, imprisoned not more than 20 years, or both; and

(C)

if death results, shall be fined under this title, imprisoned for any number of years or for life, or both.

(b) CIVIL ACTION.—

Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), or section 46502, the second sentence of section 46504, section 46505 (b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or section 60123(b) of title 49 is liable in a civil action to any party incurring expenses incident to any emergency or investigative response to that conduct, for those expenses.

According to Officer Crocilla report:

**Narrative of the case:**

"On January 9, 2019 at approximately 0241 hours, undersigned officers observed a black female in a wheelchair yelling and screaming for no apparent reason. The female/EDP stated " you white, red neck cops are harassing me, I pray to Allah that you get killed with a rifle, I'm going to come back and kill you fags and I want an ambulance". Upon escorting the female/EDP up to the 34 Street entrance, the female EDP did pick up a cone and attempt to throw it at undersigned officers. The female EDP did attempt to scratch undersigned officers and did attempt to strike us with both her hands. The female/EDP was rear cuffed and escorted into the ambulance for transport along with all her property. The female/EDP was lodged at CPEP located at Bellevue Hospital for a psychiatric evaluation."

- Office Crocilla filed a false/lie report because video evidence camera inside MTA 34 Street Penn Station showed that the Office Flash his golf-cart-car light in my eyes as I just came from out of the bathroom. When I arrived at the bathroom there was a long-line I saw my good-friend whom at that time worked for an Agency, I saw her sweating we spoke for about 3 min then she told me she was thirsty but it's been extremely busy she does not have a chance to go buy something to drink. I told her I will be right back I went to the 2<sup>nd</sup> level near New Jersey Transit at the Walgreen there brought her some

drink water and Pierre Drunk extremely cold then I made my way back to the bathroom where I gave her the drink and the gift that I had got for her, for her dad and for her kid's. Then we spoke some more while waiting in the line while we were speaking the line getting shorter and shortest so when it was finally my turn to use the bathroom, Jenny went back to work and I left. After I wash my hands and told Jenny by see you next times I have to go pick up Medications that my Doctor had send me at the Ride-Aid on 125<sup>th</sup> and Lenox that I did not want to missed before they closing so we said our goodbye, then when I arrived in the Corner the Officers where in Golf-car, Officer Crocilla pull right in front of me flash that bright lights in my eyes because I am a seizure person/have history of seizures and I do take three different kind of seizure meds to keep me balance, flashing a flash light in someone that have pre-existing health history like seizure can trigger seizure in that person so I stop my wheelchair put both my hands up in my eyes trying to block the lights that's flashing in my eyes because the last thing I did not wants is for a seizure attack inside Penn Station especially when I was on my way to go pick up two of the meds were the seizures meds at the pharmacy. As I have my hands up cover my eyes I felt a hands touching my hip so I removed one of my hand and pushed that hands out whom was touching me next things I knew officer Crocilla started abusing me when I asked why did I've done he told me to shut the Fuck up, I told him am a Muslim if I done anything am requesting for a female police officer(I requested for female officer five time) each time I was met with Shut the Fuck Up and racist-slur.

- Next thing I knew another white man came over officer Crocilla told him to hold my hands behind my back and pushed my head down as he done so Officer Crocilla wheel my wheelchair against the wall and started saying extremely unprofessional stuffs, and how they used to have funs rapping none-white people back in the old-days and a lot of racist discussed statements, officers Crocilla told his partner he will wheel me inside the elevator to deal with me since there were no working camera there. I was scared/afraid for my life because I was not sure if they would rap me then killed me. As the wheeled me I fought hard in fear for my

life and my safety. When arrived in front of the elevator more racist statements about women was made. Then the elevator door open I start praying in my heart please Allah do not allow today the day I died since I cannot say goodbye to those I love and those whom loves me.

- When we got inside the elevator Officer Crocilla cut the purse that I had around me started going to my stuffs then he stated, "I know where you resigned, and I have your personal information's if you talk or tried to do any actions I will come after you." Then he put my personal stuffs inside his pockets.
- He then threw me out of my wheelchair on the floor then started to abuse me, kick me eleven time on my side.
- I was bleeding from the baton that was attack on my head while I was handcuff face down on my chest.
- I started pleading for my life and asking what I have done, Officer Crocilla kept telling to shut the "fuck up" as he kicks me over and repeatedly eleven times. When he finished abused me, he told his partner to push the elevator button to go up.

when arrived at the street level Officer Crocilla drags me like I was worst then piece of shits by my shirts and half of my coat that he opened during the abused inside the elevator. When the elevator door opened, I was dragged from the elevator door into the street where Officer Crocilla and his partners in crimes made me sat on-top of the handcuffs that was tights around my wrists that I was bleeding from, I was forced to sit on top the handcuffs until ambulance showed up.

- As I waited for the Ambulance eight Officers total Join Officers Crocilla laughing and making statements about back in the days how white men have it easy when they can get away with anything and but now in days none-white think they have rights and demands whites, tell white men whom are superiors then them what to do.
- Lyland C. Crocilla have his foot on top of chest/ between my breast because he well knew I have a heart monitor device implanted since inside the elevator one of the stuff he took was my heart device card if or when I need to go to medal detections I can show it to them, he even asked me "you have a device huh". He

knew I had the device between my chest yet outside while waiting for the ambulance he have his food right the center of my chest pressuring it and he damage the device in my heart now I need to go back to surgery to have it removed and have another one replace/put on.

- they were smoking Cigars as they laughing about certain old moving what the white men used to do when they were ruling the rights and correct ways, they were making racist statements that cause me extremely distress. I honestly did not know what would happen to me, if those hours would be my last hours in the physical whelms.
- When the Ambulance finally arrived about thirty to forty minutes later, the officers pulled the two ambulance men aside extremely-far away from me all I saw them chatting, laughing, and pointing at me while blood gushing down my face, all over my eyes for about fifteen minutes.

Then when the gentlemen returned back with the officer the old one asked me questions he wants me to get up to get in the stretcher told him I cannot then he look at me then asked is that your broken wheelchair I said yes then he asked what happen to it I replied asked officer Crocilla he threw me out of it, then he asked how did you hand up on the floor I told him the officer threw me out of the chair did you heard what I said the first time,..

- then the two ambulance men grabbed me and put me on the stretcher got me inside the ambulance then more abused happened.
- Officer Crocilla touch me unprofessional inside the ambulance when the older man went in the front of the passenger temporary to talk with the younger man who was driving the ambulance, because officer Crocilla refused to remove the handcuff in order for him to give me medical attentions, the old man seemed frustrated but did not want to get into it with the officer so he left temporarily to go speak to his partner about the matter.

When I arrived in the hospital bleeding rather get medical attaching Officer Crocilla went spoke to some nurse far away so I could not hear the conversations then point at me next things I knew the nurse said "You will be transfer to Psych-ward" I asked why?...

- She refused to give me an answered. I told her I needed medical attentions she just said that is not my called, all I remember while my outfit is soaks with my own blood I hand up in the Psych ward without my consent bleeding while I was in the stretcher waiting I kept fading in and out, the lady that was watching me kept asking me if I was okay, if I was feeling okay, I remember pleading with her I needed medical attentions please give me medical help stop the bleeding but I was force to way almost hours while bleeding and kept going in and out waiting to see a psych doctor.
- When I was finally was seeing by a psych doctor she came in and she started to evaluated me, I honestly do not know what Crocilla told her nor the rest of the hospital staffs nor the nurse when I first arrived.
- when I explained to the psych doctor what took place and I had my one of my phone inside my coat pocket was recording because when I saw the police coming at me I pushed the button and said record, I had a voice record activations app on my phones at that time because of history of seizure's also I knew those officers enjoys hurting none white people it was a safety app in my mind when I had download that app just in case because I knew as I exposed those officers behaviors I would became they toys targets so.
- so after I told her and told her to pulled out the phone out of my coat pocket that was inside my sweater hiding away I gave her the past word to unlock my phone, she heard everything her face was like she saw a ghost then she said "that is a lawsuit that I do not want to be part off, she then added your bleeding way to much you need to be in medical" and she left with my phone in her hand next things I knew I was been rushed to medical to be treated .
- when got to medical just like inside the ambulance Officer Crocilla refused to remove the handcuffs in other for me to get medical treatments, Officer Crocilla partner follow him in the police car in the hospital, then when Officer Crocilla found out and saw they were rushing me to Medical he was extremely mad and start to argued with the gentleman that was transporting me, the gentleman said am only doing my Job Sir. When arrived at Medical Officer Crocilla refused to removed the handcuffs so the staffs and the nurse that came to draw my blood

since I told them I have history of seizure she asked me what times I took the last medication told her she said I have to let the doctor know the doctor might requested bloodwork's so make sure your medications levels are up to where need to be at

- When she returned with changing cloth, things to draw my blood and other stuffs to proper treatment even-thought they put me in a private room with two other staffs watching me. Officer Crocilla argued with the nurse that came to change my gown eventually he left and left me with the handcuffs inside the hospital private room the staffs had to called a hospital police over to remove the handcuffs out of my hands so I could get the medical treatments that I needed.

### **13.) Power Hungry/Abusive of Power/Authority**

#### **25 FR § 11.448 - Abuse of office.**

##### **➤ § 11.448 Abuse of office.**

A person acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity commits a misdemeanor if, knowing that his or her conduct is illegal, he or she:

- (a) Subjects another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien or other infringement of personal or property rights; or
- (b) Denies or impedes another in the exercise or enjoyment of any right, privilege, power or immunity.

#### **Police Misconduct**

- Police misconduct illegal or inappropriate action taken by an officer. It can involve a violation of state law, federal law, or police department rules and regulations.
- Federal law also makes it a crime to willfully deprive a person of their constitutional rights. (18 U.S.C. § 242 (2020); Minn. Stat. § 609.43 (2020).)
- Under the Civil Rights Act of 1871, a victim of police misconduct involving a violation of the person's civil rights can sue the offending officer and the department that employed the officer. Often referred to as a Section 1983 lawsuit (based on the statutory citation 42 U.S.C. § 1983).

### **Americans with Disabilities Act (ADA)**

July 2020 marked the 30th anniversary of the Americans with Disabilities Act (ADA), the landmark federal legislation that prohibits discrimination against individuals with disabilities in all aspects of public life:

- A person is guilty of assault in the third degree if he intentionally or recklessly cause physical injury to another person, or if he causes physical injury with criminal negligence "by means of a deadly weapon or a dangerous instrument." N.Y. Penal Law § 120.00 On the morning of October 31, 2006, Duran repeatedly told the Lincoln Center security guards and NYPD officers that Glassman had shoved her out of bed and slammed a door in her face. Combined with the discolored lump on her forehead-----testified o by the police officers—and her distraught demeanor, these facts gave the NYPD officers probable cause to believe that Glassman had caused Duran "Physical injury" either intentionally or recklessly. See Curley 268 F.3d at 69; Ricciuti, 124 F. 3d at 128; Sforza v. City of N.Y., No. 07 Civ. V. Timberlake, 300 A.D.2d 219, 220, 752 N.Y. S.2d 315, 316 (1<sup>st</sup> Dep't 2002).

### **In Conclusion:**

The Rules, Laws and Regulations should be abiding by everyone does not matter what positions or governments agencies works/part/members of. This is America there should not be two-tiers of rules, rules for thee not for me. The Deputy Chief Police Accountability Unit New York County District Attorney's Office should be fair and just to the victim(s) especially the individual(s) who committed the crimes/offense work for the systems. I am requesting the Court to grant me justice by Criminal Charge Officer Lyland C. Crocilla for his wrong doing for his attack to a civilian who wasn't committed no crime/no offense. I am also requesting the Court and You Judge to make sure the other officers whom part taking/whom allowed Officer Lyland C. Crocilla to abused/his behavior and they

did not stop him/point out his evil-wrong doing they should be fired and should not work with no companies that they can accessed the publics information's.

- Am bring this Motion Movant is the Matter of The Law because Officer Lyland C. Crocilla breach/broke the laws, the laws he breaches are listed above and I am asking for the Court to move and to listening to my plead to Criminal Charge Officer Lyland C.Crocilla for abuse his powers/ his positions to attack me, false arrest, breach the ADA, For breach my Constitutional Lawful-Legal Rights. Since it seemed to me Stephanie Minogue Deputy Chief Police Accountability Unit refused to listening my cried for true Justice and my plead to Criminal Charge the officers, I am hoping this Court can and if this Court cannot I will like to know which venue can because I cannot and will not let this case settle without Criminal Charge against the Officer and he serve some forms of Jail times, after all the Officer enjoy handcuff individual(s) maybe a taste of his own medicines should be good cure for him to cure his bad abuse behaviors.
- Since the City Of New York & New York State refused to Criminal Charge Officer Lynland C. Crocilla rather giving me the running around and blocking me in every way/forms or shapes to get the proper documents that I needed to find ways to have Criminal Charges to be Brought against Officer Crocilla and his Partners in Crime I will be left with no choice if this court might/if denied me request for True-Justice remove this case out of New York Jurisdictions Completely and file it with another State or Country who actually give cares for the laws and for Justice.
- I have been asking, screaming and crying to Thee Creator of all things, to Universe and to the Systems for true Justice yet my cried for True-Justice is being ignored so I hope somehow my heart desire/hopes and dreams for Criminal Charges brought/bring against Officer Lyland C. Cocilla come to passed.
- Since I know Judge you're a fair and Just Judge I hope you help my cried for true Justice come true by some form of Criminal Charges bring against Crocilla and I hope the Court stand for the laws and for True-Justice.

➤ I was raised in house of Muslim in one side and Christian another but I will quote some justice verse from the bible:

**Proverbs 21:15**

- ***[It is] joy to the, last to do judgment***

It is with pleasure he does it; he delights in the law of God, after the inward man, and finds much peace of mind and joy in the Holy Ghost in keeping it, and observing its commands, which are holy, just, and good; yea, it gives him pleasure to see justice done by others; both by private persons in their dealings with one another; and especially by judges putting the laws in execution, as their office requires; whereby much good comes to a nation in general, and to particular.

**Romans 13:3**

For the authorities do not strike fear in people who are doing right, but in those who are doing wrong. Would you like to live without fear of the autho ***For rulers are not a terror to good works***

That is, to them that do good works in a civil sense; who behave well in the neighborhood's, towns, cities, and countries where they dwell. The apostle seems to anticipate an objection made against governors, as if there was something very terrible and formidable in them; and which might be taken up from the last clause of the preceding verse; and which he removes by observing, that governors neither do, nor ought to inject terror into men that behave well, obey the laws, and keep a good decorum among their fellow subjects, not doing any injury to any man's person, property, and estate. The Jews <sup>E1</sup> have a saying,

"that a governor that injects more fear into the people, than is for the honour of God, shall be punished, and shall not see his son a disciple of a wise man."

***But to the evil;***

to wicked men, who make no conscience of doing hurt to their fellow creatures, by

abusing their persons, defrauding them of their substance, and by various illicit methods doing damage to them; to such, rulers are, and ought to be terrors; such are to be menaced, and threatened with inflicting upon them the penalty of the laws they break; and which ought to be inflicted on them by way of punishment to them, and for the terror of others.rities? Do what is right, and they will honor you.

**Job 12:22**

He reveals the deep things of darkness and brings utter darkness into the light.

**Justice**

**Proverbs 21:15**

When justice is done, it is a joy to the righteous but terror to evildoers.

**Amos 5:24**

But let justice roll down like waters, and righteousness like an ever-flowing stream.

**Isaiah 1:17**

Learn to do good; seek justice, correct oppression; bring justice to the fatherless, plead the widow's cause.

**Romans 12:19**

Beloved, never avenge yourselves, but leave it to the wrath of God, for it is written, "Vengeance is mine, I will repay, says the Lord."

**Isaiah 30:18**

Therefore, the LORD waits to be gracious to you, and therefore he exalts himself to show mercy to you. For the LORD is a God of justice; blessed are all those who wait for him.

**Micah 6:8**

He has told you, O man, what is good; and what does the LORD require of you but to do justice, and to love kindness, and to walk humbly with your God?

**Isaiah 61:8**

For I the LORD love justice; I hate robbery and wrong; I will faithfully give them their recompense, and I will make an everlasting covenant with them.

**Psalm 37:27-29**

Turn away from evil and do good; so shall you dwell forever. For the LORD loves justice; he will not forsake his saints. They are preserved forever, but the children of the wicked shall be cut off. The righteous shall inherit the land and dwell upon it forever.

**Psalm 106:3**

Blessed are they who observe justice, who do righteousness at all times!

**Proverbs 28:5**

Evil men do not understand justice, but those who seek the LORD understand it completely.

**Leviticus 19:15**

"You shall do no injustice in court. You shall not be partial to the poor or defer to the great, but in righteousness shall you judge your neighbor.

**Proverbs 24:24-25**

Whoever says to the wicked, "You are in the right," will be cursed by peoples, abhorred by nations, but those who rebuke the wicked will have delight, and a good blessing will come upon them.

**Zechariah 7:9**

"Thus, says the LORD of hosts, render true judgments, show kindness and mercy to one another,

**Ecclesiastes 3:17**

I said in my heart, God will judge the righteous and the wicked, for there is a time for every matter and for every work.

**Luke 18:1-8**

And he told them a parable to the effect that they ought always to pray and not lose heart. He said, "In a certain city there was a judge who neither feared God nor respected man. And there was a widow in that city who kept coming to him and saying, 'Give me justice against my adversary.' For a while he refused, but afterward he said to himself, 'Though I neither fear God nor respect man, yet because this widow keeps bothering me, I will give her justice, so that she will not beat me down by her continual coming.'" ...

**Psalm 33:5**

He loves righteousness and justice; the earth is full of the steadfast love of the LORD.

**Proverbs 21:3**

To do righteousness and justice is more acceptable to the LORD than sacrifice.

**Deuteronomy 16:20**

Justice, and only justice, you shall follow, that you may live and inherit the land that the LORD your God is giving you.

**Luke 6:37**

"Judge not, and you will not be judged; condemn not, and you will not be condemned; forgive, and you will be forgiven;

**Proverbs 31:8-9**

Open your mouth for the mute, for the rights of all who are destitute. Open your mouth, judge righteously, defend the rights of the poor and needy.

**Jeremiah 22:3**

Thus, says the LORD: Do justice and righteousness, and deliver from the hand of the oppressor him who has been robbed. And do no wrong or violence to the resident alien, the fatherless, and the widow, nor shed innocent blood in this place.

**Romans 13:4**

For he is God's servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain. For he is the servant of God, an avenger who carries out God's wrath on the wrongdoer.

**Deuteronomy 27:19**

"Cursed be anyone who perverts the justice due to the sojourner, the fatherless, and the widow.' And all the people shall say, 'Amen.'

**Proverbs 25:26**

Like a muddied spring or a polluted fountain is a righteous man who gives way before the wicked.

**Jeremiah 9:23-24**

Thus says the LORD: "Let not the wise man boast in his wisdom, let not the mighty man boast in his might, let not the rich man boast in his riches, but let him who boasts boast in this, that he understands and knows me, that I am the LORD who practices steadfast love, justice, and righteousness in the earth. For in these things I delight, declares the LORD."

**Matthew 7:12**

"So whatever you wish that others would do to you, do also to them, for this is the Law and the Prophets.

**Isaiah 42:1-9**

Behold my servant, whom I uphold, my chosen, in whom my soul delights; I have put my Spirit upon him; he will bring forth justice to the nations. He will not cry aloud or lift up his voice, or make it heard in the street; a bruised reed he will not break, and a faintly burning wick he will not

quench; he will faithfully bring forth justice. He will not grow faint or be discouraged till he has established justice in the earth; and the coastlands wait for his law. Thus, says God, the LORD, who created the heavens and stretched them out, who spread out the earth and what comes from it, who gives breath to the people on it and spirit to those who walk in it: ...

**Psalm 50:6**

The heavens declare his righteousness, for God himself is judge! Selah

**Psalm 82:3**

Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute.

**Proverbs 29:7**

A righteous man knows the rights of the poor; a wicked man does not understand such knowledge.

**Deuteronomy 10:18**

He executes justice for the fatherless and the widow, and loves the sojourner, giving him food and clothing.

**Matthew 23:23**

“Woe to you, scribes and Pharisees, hypocrites! For you tithe mint and dill and cumin, and have neglected the weightier matters of the law: justice and mercy and faithfulness. These you ought to have done, without neglecting the others.

**Psalm 89:14**

Righteousness and justice are the foundation of your throne; steadfast love and faithfulness go before you.

**Hosea 12:6**

“So you, by the help of your God, return, hold fast to love and justice, and wait continually for your God.”

**Ecclesiastes 5:8**

If you see in a province the oppression of the poor and the violation of justice and righteousness, do not be amazed at the matter, for the high official is watched by a higher, and there are yet higher ones over them.

**Hebrews 10:30**

For we know him who said, "Vengeance is mine; I will repay." And again, "The Lord will judge his people."

**Psalm 140:12**

I know that the LORD will maintain the cause of the afflicted, and will execute justice for the needy.

**Job 12:22**

He uncovers the deeps out of darkness and brings deep darkness to light.

**Isaiah 56:1-12**

Thus, says the LORD: "Keep justice, and do righteousness, for soon my salvation will come, and my deliverance be revealed. Blessed is the man who does this, and the son of man who holds it fast, who keeps the Sabbath, not profaning it, and keeps his hand from doing any evil." Let not the foreigner who has joined himself to the LORD say, "The LORD will surely separate me from his people"; and let not the eunuch say, "Behold, I am a dry tree." For thus says the LORD: "To the eunuchs who keep my Sabbaths, who choose the things that please me and hold fast my covenant, I will give in my house and within my walls a monument and a name better than sons and daughters; I will give them an everlasting name that shall not be cut off. ...

**Luke 4:18-19**

"The Spirit of the Lord is upon me, because he has anointed me to proclaim good news to the poor. He has sent me to proclaim liberty to the captives and recovering of sight to the blind, to set at liberty those who are oppressed, to proclaim the year of the Lord's favor."

**James 1:27**

Religion that is pure and undefiled before God, the Father, is this: to visit orphans and widows in their affliction, and to keep oneself unstained from the world.

**Luke 11:42**

"But woe to you Pharisees! For you tithe mint and rue and every herb, and neglect justice and the love of God. These you ought to have done, without neglecting the others.

**Matthew 12:18**

"Behold, my servant whom I have chosen, my beloved with whom my soul is well pleased. I will put my Spirit upon him, and he will proclaim justice to the Gentiles.

**Matthew 5:38-39**

"You have heard that it was said, 'An eye for an eye and a tooth for a tooth.' But I say to you, do not resist the one who is evil. But if anyone slaps you on the right cheek, turn to him the other also.

**Proverbs 18:5**

It is not good to be partial to the wicked or to deprive the righteous of justice.

**Psalm 58:11**

Mankind will say, "Surely there is a reward for the righteous; surely there is a God who judges on earth."

**Deuteronomy 32:4**

"The Rock, his work is perfect, for all his ways are justice. A God of faithfulness and without iniquity, just and upright is he.

**Isaiah 30:18-19**

Therefore, the LORD waits to be gracious to you, and therefore he exalts himself to show mercy to you. For the LORD is a God of justice; blessed are all those who wait for him. For a people shall dwell in Zion, in Jerusalem; you shall weep no more. He will surely be gracious to you at the sound of your cry. As soon as he hears it, he answers you.

**1 John 3:17-18**

But if anyone has the world's goods and sees his brother in need, yet closes his heart against him, how does God's love abide in him? Little children, let us not love in word or talk but indeed and in truth.

**Psalm 101:1**

A Psalm of David. I will sing of steadfast love and justice; to you, O LORD, I will make music.

**Isaiah 61:1-11**

The Spirit of the Lord GOD is upon me, because the LORD has anointed me to bring good news to the poor; he has sent me to bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prison to those who are bound; to proclaim the year of the LORD's favor, and the day of vengeance of our God; to comfort all who mourn; to grant to those who mourn in Zion—to give them a beautiful headdress instead of ashes, the oil of gladness instead of mourning, the garment of praise instead of a faint spirit; that they may be called oaks of righteousness, the planting of the LORD, that he may be glorified. They shall build up the ancient ruins; they shall raise up the former devastations; they shall repair the ruined cities, the devastations of many generations. Strangers shall stand and tend your flocks; foreigners shall be your plowmen and vinedressers; ...

**Isaiah 51:4-5**

"Give attention to me, my people, and give ear to me, my nation; for a law will go out from me, and I will set my justice for a light to the peoples. My righteousness draws near, my salvation has gone out, and my arms will judge the peoples; the coastlands hope for me, and for my arm they wait.

**Isaiah 9:7**

Of the increase of his government and of peace there will be no end, on the throne of David and over his kingdom, to establish it and to uphold it with justice and with righteousness from this time forth and forevermore. The zeal of the LORD of hosts will do this.

**Malachi 3:5**

"Then I will draw near to you for judgment. I will be a swift witness against the sorcerers, against the adulterers, against those who swear falsely, against those who oppress the hired worker in his wages, the widow and the fatherless, against those who thrust aside the sojourner, and do not fear me, says the LORD of hosts.

**Jeremiah 23:5**

"Behold, the days are coming, declares the LORD, when I will raise up for David a righteous Branch, and he shall reign as king and deal wisely, and shall execute justice and righteousness in the land.

**Psalm 7:6**

Arise, O LORD, in your anger; lift yourself up against the fury of my enemies; awake for me; you have appointed a judgment.

**Isaiah 45:21**

Declare and present your case; let them take counsel together! Who told this long ago? Who declared it of old? Was it not I, the LORD? And there is no other god besides me, a righteous God and a Savior; there is none besides me.

**Luke 10:30-37**

Jesus replied, "A man was going down from Jerusalem to Jericho, and he fell among robbers, who stripped him and beat him and departed, leaving him half dead. Now by chance a priest was going down that road, and when he saw him, he passed by on the other side. So likewise, a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan, as he journeyed, came to where he was, and when he saw him, he had compassion. He went to him and bound up his wounds, pouring on oil and wine. Then he set him on his own animal and brought him to an inn and took care of him. ..."

**Isaiah 5:23**

Who acquit the guilty for a bribe, and deprive the innocent of his right!

**Job 34:12**

Of a truth, God will not do wickedly, and the Almighty will not pervert justice.

**2 Chronicles 19:7**

Now then, let the fear of the LORD be upon you. Be careful what you do, for there is no injustice with the LORD our God, or partiality or taking bribes."

**Psalm 99:4**

The King in his might loves justice. You have established equity; you have executed justice and righteousness in Jacob.

**Colossians 3:25**

For the wrongdoer will be paid back for the wrong he has done, and there is no partiality.

**Deuteronomy 24:17**

"You shall not pervert the justice due to the sojourner or to the fatherless, or take a widow's garment in pledge,

**Genesis 18:19**

For I have chosen him, that he may command his children and his household after him to keep the way of the LORD by doing righteousness and justice, so that the LORD may bring to Abraham what he has promised him."

**Exodus 23:6**

"You shall not pervert the justice due to your poor in his lawsuit.

**Ecclesiastes 3:8**

A time to love, and a time to hate; a time for war, and a time for peace.

**Revelation 19:11**

Then I saw heaven opened, and behold, a white horse! The one sitting on it is called Faithful and True, and in righteousness he judges and makes war.

**James 4:1-2**

What causes quarrels and what causes fights among you? Is it not this, that your passions are at war within you? You desire and do not have, so you murder. You covet and cannot obtain, so you fight and quarrel. You do not have, because you do not ask.

**2 Samuel 15:4**

Then Absalom would say, "Oh that I were judge in the land! Then every man with a dispute or cause might come to me, and I would give him justice."

**Romans 13:1-14**

Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God. Therefore whoever resists the authorities resists what God has appointed, and those who resist will incur judgment. For rulers are not a terror to good conduct, but to bad. Would you have no fear of the one who is in authority? Then do what is good, and you will receive his approval, for he is God's servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain. For he is the servant of God, an avenger who carries out God's wrath on the wrongdoer. Therefore, one must be in subjection, not only to avoid God's wrath but also for the sake of conscience. ...

**Matthew 10:28**

And do not fear those who kill the body but cannot kill the soul. Rather fear him who can destroy both soul and body in hell.

**Proverbs 22:8-23:11**

Whoever sows injustice will reap calamity, and the rod of his fury will fail. Whoever has a bountiful eye will be blessed, for he shares his bread with the poor. Drive out a scoffer, and strife will go out, and quarreling and abuse will cease. He who loves purity of heart, and whose speech is gracious, will have the king as his friend. The eyes of the LORD keep watch over knowledge, but he overthrows the words of the traitor. ...

**Psalm 67:4**

Let the nations be glad and sing for joy, for you judge the peoples with equity and guide the nations upon earth. Selah

**Isaiah 10:1-2**

Woe to those who decree iniquitous decrees, and the writers who keep writing oppression, to turn aside the needy from justice and to rob the poor of my people of their right, that widows may be their spoil, and that they may make the fatherless their prey!

**Psalm 119:126**

It is time for the LORD to act, for your law has been broken.

**Malachi 4:1**

"For behold, the day is coming, burning like an oven, when all the arrogant and all evildoers will be stubble. The day that is coming shall set them ablaze, says the LORD of hosts, so that it will leave them neither root nor branch.

**Ezekiel 25:1-17**

The word of the LORD came to me: "Son of man, set your face toward the Ammonites and prophesy against them. Say to the Ammonites, Hear the word of the Lord God: Thus says the Lord God, Because you said, 'Aha!' over my sanctuary when it was profaned, and over the land of Israel when it was made desolate, and over the house of Judah when they went into exile, therefore behold, I am handing you over to the people of the East for a possession, and they shall set their encampments among you and make their dwellings in your midst. They shall eat your fruit, and they shall drink your milk. I will make Rabbah a pasture for camels and Ammon a fold for flocks. Then you will know that I am the LORD. ...

**Psalm 34:17-18**

When the righteous cry for help, the LORD hears and delivers them out of all their troubles.  
The LORD is near to the brokenhearted and saves the crushed in spirit.

**Ezekiel 18:21**

"But if a wicked person turns away from all his sins that he has committed and keeps all my statutes and does what is just and right, he shall surely live; he shall not die."

**Psalm 86:13**

For great is your steadfast love toward me; you have delivered my soul from the depths of Sheol.

**Esther 5:1-14**

On the third day Esther put on her royal robes and stood in the inner court of the king's palace, in front of the king's quarters, while the king was sitting on his royal throne inside the throne room opposite the entrance to the palace. And when the king saw Queen Esther standing in the court, she won favor in his sight, and he held out to Esther the golden scepter that was in his hand. Then Esther approached and touched the tip of the scepter. And the king said to her, "What is it, Queen Esther? What is your request? It shall be given you, even to the half of my kingdom." And Esther said, "If it please the king, let the king and Haman come today to a feast that I have prepared for the king." Then the king said, "Bring Haman quickly, so that we may do as Esther has asked." So the king and Haman came to the feast that Esther had prepared. ...

**2 Chronicles 9:8**

Blessed be the LORD your God, who has delighted in you and set you on his throne asking for the LORD your God! Because your God loved Israel and would establish them forever, he has made you king over them, that you may execute justice and righteousness."

**Job 8:3-9:24**

Does God pervert justice? Or does the Almighty pervert the right? If your children have sinned against him, he has delivered them into the hand of their transgression. If you will seek God and

plead with the Almighty for mercy, if you are pure and upright, surely then he will rouse himself for you and restore your rightful habitation. And though your beginning was small, your latter days will be very great. ...

### John 14:1-31

"Let not your hearts be troubled. Believe in God; believe also in me. In my Father's house are many rooms. If it were not so, would I have told you that I go to prepare a place for you? And if I go and prepare a place for you, I will come again and will take you to myself, that where I am you may be also. And you know the way to where I am going." Thomas said to him, "Lord, we do not know where you are going. How can we know the way?" ...

### 1 Timothy 2:1-2

First of all, then, I urge that supplications, prayers, intercessions, and thanksgivings be made for all people, for kings and all who are in high positions, that we may lead a peaceful and quiet life, godly and dignified in every way.

### Isaiah 55:11

So shall my word be that goes out from my mouth; it shall not return to me empty, but it shall accomplish that which I purpose, and shall succeed in the thing for which I sent it.

### Proverbs 17:23-28

The wicked accepts a bribe in secret to pervert the ways of justice. The discerning sets his face toward wisdom, but the eyes of a fool are on the ends of the earth. A foolish son is a grief to his father and bitterness to her who bore him. To impose a fine on a righteous man is not good, nor to strike the noble for their uprightness. Whoever restrains his words has knowledge, and he who has a cool spirit is a man of understanding. ...

### Leviticus 19:33-37

"When a stranger sojourns with you in your land, you shall not do him wrong. You shall treat the stranger who sojourns with you as the native among you, and you shall love him as yourself, for you were strangers in the land of Egypt: I am the LORD your God. "You shall do no wrong in judgment, in measures of length or weight or quantity. You shall have just balances, just

weights, a just ephah, and a just hin: I am the LORD your God, who brought you out of the land of Egypt. And you shall observe all my statutes and all my rules, and do them: I am the LORD."

**Exodus 17:1-18:27**

All the congregation of the people of Israel moved on from the wilderness of Sin by stages, according to the commandment of the LORD, and camped at Rephidim, but there was no water for the people to drink. Therefore, the people quarreled with Moses and said, "Give us water to drink." And Moses said to them, "Why do you quarrel with me? Why do you test the LORD?" But the people thirsted there for water, and the people grumbled against Moses and said, "Why did you bring us up out of Egypt, to kill us and our children and our livestock with thirst?" So, Moses cried to the LORD, "What shall I do with this people? They are almost ready to stone me." And the LORD said to Moses, "Pass on before the people, taking with you some of the elders of Israel, and take in your hand the staff with which you struck the Nile, and go. ...

**1 Peter 1:17-22**

And if you call on him as Father who judges impartially according to each one's deeds, conduct yourselves with fear throughout the time of your exile, knowing that you were ransomed from the futile ways inherited from your forefathers, not with perishable things such as silver or gold, but with the precious blood of Christ, like that of a lamb without blemish or spot. He was foreknown before the foundation of the world but was made manifest in the last times for the sake of you who through him are believers in God, who raised him from the dead and gave him glory, so that your faith and hope are in God. ...

**Proverbs 30:21-31:5**

Under three things the earth trembles; under four it cannot bear up: a slave when he becomes king, and a fool when he is filled with food; an unloved woman when she gets a husband, and a maidservant when she displaces her mistress. Four things on earth are small, but they are exceedingly wise: the ants are a people not strong, yet they provide their food in the summer; ...

**Deuteronomy 25:1-27:26**

"If there is a dispute between men and they come into court and the judges decide between them, acquitting the innocent and condemning the guilty, then if the guilty man deserves to be

beaten, the judge shall cause him to lie down and be beaten in his presence with a number of stripes in proportion to his offense. Forty stripes may be given him, but not more, lest, if one should go on to beat him with more stripes than these, your brother be degraded in your sight. "You shall not muzzle an ox when it is treading out the grain. "If brothers dwell together, and one of them dies and has no son, the wife of the dead man shall not be married outside the family to a stranger. Her husband's brother shall go in to her and take her as his wife and perform the duty of a husband's brother to her. ...

#### Numbers 31:1-54

The LORD spoke to Moses, saying, "Avenge the people of Israel on the Midianites. Afterward you shall be gathered to your people." So, Moses spoke to the people, saying, "Arm men from among you for the war, that they may go against Midian to execute the LORD's vengeance on Midian. You shall send a thousand from each of the tribes of Israel to the war." So, there were provided, out of the thousands of Israel, a thousand from each tribe, twelve thousand armed for war. ...

#### Amos 5:1-6:14

Hear this word that I take up over you in lamentation, O house of Israel: "Fallen, no more to rise, is the virgin Israel; forsaken on her land, with none to raise her up." For thus says the Lord GOD: "The city that went out a thousand shall have a hundred left, and that which went out a hundred shall have ten left to the house of Israel." For thus says the LORD to the house of Israel: "Seek me and live; but do not seek Bethel, and do not enter into Gilgal or cross over to Beersheba; for Gilgal shall surely go into exile, and Bethel shall come to nothing." ...

#### Proverbs 21:18-31

The wicked is a ransom for the righteous, and the traitor for the upright. It is better to live in a desert land than with a quarrelsome and fretful woman. Precious treasure and oil are in a wise man's dwelling, but a foolish man devours it. Whoever pursues righteousness and kindness will find life, righteousness, and honor. A wise man scales the city of the mighty and brings down the stronghold in which they trust. ...

#### Proverbs 20:20-21:17

If one curses his father or his mother, his lamp will be put out in utter darkness. An inheritance gained hastily in the beginning will not be blessed in the end. Do not say, "I will repay evil"; wait for the LORD, and he will deliver you. Unequal weights are an abomination to the LORD, and false scales are not good. A man's steps are from the LORD; how then can man understand his way? ...

#### **Psalm 51:4**

Against you, you only, have I sinned and done what is evil in your sight, so that you may be justified in your words and blameless in your judgment.

#### **Esther 8:1-17**

On that day King Ahasuerus gave to Queen Esther the house of Haman, the enemy of the Jews. And Mordecai came before the king, for Esther had told what he was to her. And the king took off his signet ring, which he had taken from Haman, and gave it to Mordecai. And Esther set Mordecai over the house of Haman. Then Esther spoke again to the king. She fell at his feet and wept and pleaded with him to avert the evil plan of Haman the Agagite and the plot that he had devised against the Jews. When the king held out the golden scepter to Esther, Esther rose and stood before the king. And she said, "If it please the king, and if I have found favor in his sight, and if the thing seems right before the king, and I am pleasing in his eyes, let an order be written to revoke the letters devised by Haman the Agagite, the son of Hammedatha, which he wrote to destroy the Jews who are in all the provinces of the king. ...

#### **1 Kings 14:1-15:34**

At that time Abijah the son of Jeroboam fell sick. And Jeroboam said to his wife, "Arise, and disguise yourself, that it not be known that you are the wife of Jeroboam, and go to Shiloh. Behold, Ahijah the prophet is there, who said of me that I should be king over this people. Take with you ten loaves, some cakes, and a jar of honey, and go to him. He will tell you what shall happen to the child." Jeroboam's wife did so. She arose and went to Shiloh and came to the house of Ahijah. Now Ahijah could not see, for his eyes were dim because of his age. And the LORD said to Ahijah, "Behold, the wife of Jeroboam is coming to inquire of you concerning her son, for he is sick. Thus, and thus shall you say to her." When she came, she pretended to be another woman. ...

## **Quran:**

As a Muslim practice, the Quran all Muslim to practice:

"God commands justice and fair dealing..." [Quran, 16:90]

In this verse, Allah directly commands Muslims to be just and deal fairly – as believers, we must consistently be aware that these values are an integral part of our faith.

"And the heaven He raised and imposed the balance. That you not transgress the balance. And establish weight in justice and do not make deficient the balance." [Quran, 55:7-9]

As with everything in the world, we must ensure we do not let evil injustices become more powerful than goodness – we must, at all costs, protect and support those who are oppressed or wronged in the pursuit of justice.

"O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both." [Quran, 4:135]

Allah reminds us that even if it be against our own parents, we must stand firm in establishing and believing in justice – it might be incredibly difficult, but it remains a duty upon us all.

"Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which Allah instructs you. Indeed, Allah is ever Hearing and Seeing." [Quran, 4:58]

At the end of the day, we must remember that everything we do here on earth should be for Allah – so when we fight for justice and protect the oppressed, remember that this is one way of showing our faith and devotion towards Allah.

"O you who believe, be upright for God, and be bearers of witness with justice!" [Quran, 5:8]

Being a believing Muslim is not a passive act – it means actively upholding and protecting values such as justice and equality.

"As for those who reject Allah's Signs, and kill the Prophets without any right to do so, and kill those who command justice, give them news of a painful punishment." (Surah Al 'Imran, 21)

The Holy Quran throws light on the importance of justice through many verses related to it just like it is displayed in the following verses "We sent Our Messengers with clear signs and sent down with them the Book and the Measure in order to establish justice among the people..." (Quran 57:25)

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**Plaintiff:**

According to New York law why is that the state of New York denying me such laws/justice/ requested when I had request for the information's under these laws?

Relates to the disclosure of law enforcement disciplinary records.

**S8496 (ACTIVE) - SPONSOR MEMO**

BILL NUMBER: S8496

SPONSOR: BAILEY

**TITLE OF BILL:**

An act to amend the civil rights law and the public officer's law, in relation to the disclosure of law enforcement disciplinary records; and to repeal section 50-a of the civil rights law relating thereto

**PURPOSE:**

To repeal Civil Rights Law § 50-a.

**SUMMARY OF PROVISIONS:**

**Section 1 repeals Civil Rights Law § 50-a.**

**14.)** Section 2 defines law enforcement agency (including police agencies and departments, sheriff's departments, the Department of Corrections and Community Supervision, local corrections and probation departments, fire departments, and forces of individuals employed as firefighters or

S8496 (ACTIVE) - BILL TEXT

STATE OF NEW YORK

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8496

IN SENATE

June 6, 2020

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Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law and the public officer's law, in relation to the disclosure of law enforcement disciplinary records, and to repeal section 50-a of the civil rights law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-

BLY, DO ENACT AS FOLLOWS:

Section 1. Section 50-a of the civil rights law is REPEALED.

§ 2. Section 86 of the public officer's law is amended by adding four new subdivisions 6, 7, 8 and 9 to read as follows:

6. "LAW ENFORCEMENT DISCIPLINARY RECORDS" MEANS ANY RECORD CREATED IN

FURTHERANCE OF A LAW ENFORCEMENT DISCIPLINARY PROCEEDING, INCLUDING, BUT

NOT LIMITED TO:

- (A) THE COMPLAINTS, ALLEGATIONS, AND CHARGES AGAINST AN EMPLOYEE.
- (B) THE NAME OF THE EMPLOYEE COMPLAINED OF OR CHARGED.

(C) THE TRANSCRIPT OF ANY DISCIPLINARY TRIAL OR HEARING, INCLUDING ANY

EXHIBITS INTRODUCED AT SUCH TRIAL OR HEARING.

(D) THE DISPOSITION OF ANY DISCIPLINARY PROCEEDING; AND

(E) THE FINAL WRITTEN OPINION OR MEMORANDUM SUPPORTING THE DISPOSITION

AND DISCIPLINE IMPOSED INCLUDING THE AGENCY'S COMPLETE FACTUAL FINDINGS

AND ITS ANALYSIS OF THE CONDUCT AND APPROPRIATE DISCIPLINE OF THE COVERED EMPLOYEE.

7. "LAW ENFORCEMENT DISCIPLINARY PROCEEDING" MEANS THE COMMENCEMENT OF

ANY INVESTIGATION AND ANY SUBSEQUENT HEARING OR DISCIPLINARY ACTION

CONDUCTED BY A LAW ENFORCEMENT AGENCY.

8. "LAW ENFORCEMENT AGENCY" MEANS A POLICE AGENCY OR DEPARTMENT OF THE

STATE OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING AUTHORITIES OR

AGENCIES MAINTAINING POLICE FORCES OF INDIVIDUALS DEFINED AS POLICE OFFICERS IN SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, A SHERIFF'S DEPARTMENT, THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, A

LOCAL DEPARTMENT OF CORRECTION, A LOCAL PROBATION DEPARTMENT, A FIRE

DEPARTMENT, OR FORCE OF INDIVIDUALS EMPLOYED AS FIREFIGHTERS OR FIREFIGHTER/PARAMEDICS.

EXPLANATION--Matter in ITALICS (underscored) is new, matter in brackets

[] is old law to be omitted.

UNITED STATES SUPREME COURT,  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK  
&  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

Supreme Court #:  
&

FEDERAL COURT INDEX#:  
20-CV-0524(MKV)

Affidavit rebuttal Bellevue Hospital  
Lies that the put in/on my medical record to cover  
themselves from part-taking of wrong doing  
by Officer Crocilla

Queen'Prinyah Godiah NMIAA Payne's El-Bey

Plaintiff

-against-

Defendant's:

Crocilla, Cona, Michels, Porter, Vellas, Ward  
Metropolitan Authority Police Benevolent Association & Police Benevolent Association  
Metropolitan Transportation Authority, MTA & MTA 34 precinct @ Penn Station, The  
City Of New York, Bellevue Hospital,  
Bellevue Hospital, et al.,

First of all, according to the health discharge form that I had got from the hospital have my Grandma Name on it, rather my name it seemed that they have her record confused with mine. Those notes those staffs/those Doctors had place in my record its not accurate.

**According to Jessica Bonnie Poster, MD & the staff's Notes at Bellevue Hospital:**

page 1: Stated that "Patient arrived here by EMS because she refused to leave Penn Station. Here she has no psychiatric complaint."

**First of all,** I want to know from you Jessica Bonnie where you there when Officer Crocilla and his partners kidnapped me against my own will, assaults me then force me to psych unit.

**Second** according to my statement and video cameras that prove that was showing to me and match what I stated to the State General Attorney whom I had told When I came out of the bathroom after using it and after dropping off the drink for my friend who at the time work there through in Agency, I went to use the bathroom when I came out to leave to go pick up my medications at the pharmacy that was send by my doctors at the offices I was kidnapped by the officers on my way to catch the 2/3 train to head to 125 street and Lenox. As I had stated when arrived there anyone part-taking of my kidnapping and covering up for the officers I will included every single one in my lawsuit. Your Department held me against my wills and it was unconstitutional what you and your hospital/your department done to me held me inside your intuitions against my own wills. Your statements you work are nothing but lies and ways to cover your Derrière when you know what you and your hospital done to me its illegal and unconstitutional also forcing me to waited and force me to communicate that day against my wills is/was against the laws and I do have all the legal-lawful rights to remain silence. Yet I was told if I did not speak ya where going to admitted me and give me psych medications when I was bleeding, handcuffs and was assault kick over and over in my side by officer eleven times but once again ya ignored facts rather put shits on my medical records. Please showed me where in the law stated that I cannot used a public bathroom inside a public train station?... Officer Crocilla had harassed me in my social media's and I did stated that to the Social Worker and I also told her I am afraid to go home for safety and I told her First of all I was because he told me if I told anyone he knew my home address, he have my id's and personal information's that he can have me silence for good and second he have my house key my grandma was not home she was at service, yet again your intuition help and cover those officers wrong doing.

Page 3 I do not care what the officers/Officer Crocilla stated about my health he is not my God, My Primary Cares Doctors, nor he is related to me. Officer Crocilla harassed me in social media until I was force to closed all of my social media's and kidnapped me against my own wills, stole my personal properties, kidnapped me, assault me and force me to psych unit against my own wills.

*Anne P. A. Payne  
Payne E-Bay Sept 8, 2021*

On this 8<sup>th</sup> day of September, 2021  
Before me came A. Payne to me known to be the individual described in and  
who executed the foregoing instrument and  
acknowledged that he/she executed the same

BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 7/12/2023



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306226  
Admit: 1/9/2020, Discharge: 1/9/2020

**ED Triage note by Shawnmarie Jackson, NP at 01/09/20 0315**

Author: Shawnmarie Jackson, NP	Service: Adult Psych	Author Type: Nurse Practitioner
Filed: 01/09/20 0318	Date of Service: 01/09/20 0315	Creation Time: 01/09/20 0315
Status: Addendum	Editor: Shawnmarie Jackson, NP (Nurse Practitioner)	
Related Notes: Original Note by Shawnmarie Jackson, NP (Nurse Practitioner) filed at 01/09/20 0318		

Pt is AOA x 3 follows commands answers questions appropriately breathing room air without distress yelling screaming threatening to kill and beat up NYPD and EMS Pt refused Vital Signs stating "Don't fucking touch me" Pt refused to give any medical information as well

"Electronically signed by Shawnmarie Jackson, NP at 01/09/20 0318"

**Patient Care Conference by Jessica Bonnie Poster, MD at 01/09/20 0332**

Author: Jessica Bonnie Poster, MD	Service: Psychiatric Emergency Dept	Author Type: Physician
Filed: 01/09/20 0402	Date of Service: 01/09/20 0332	Creation Time: 01/09/20 0332
Status: Addendum	Editor: Jessica Bonnie Poster, MD (Physician)	
Related Notes: Original Note by Jessica Bonnie Poster, MD (Physician) filed at 01/09/20 0335		

Attempted to call AES but could not reach attending. \*Alternate MRN 1704574\* Patient arrived here by EMS because she refused to leave Penn Station. Here she has no psychiatric complaints. She is complaining of wrist pain and numbness in her hand after being handcuffed. She is also complaining that she was kicked in the side by PD. She has a PMH of WPW s/p unsuccessful ablations, asthma, paraplegic since age 15 and wheelchair bound, All of her complaints are medical and she will be sent to AES for further workup. Psych note to follow. She is discharged from CPEP and does not need to return.

"Electronically signed by Jessica Bonnie Poster, MD at 01/09/20 0402"

**ED Notes by Audia Williams, RN at 01/09/20 0335**

Author: Audia Williams, RN	Service: Psychiatric Emergency Dept	Author Type: Registered Nurse
Filed: 01/09/20 0339	Date of Service: 01/09/20 0335	Creation Time: 01/09/20 0335
Status: Signed	Editor: Audia Williams, RN (Registered Nurse)	

Patient refused to leave penn station, states she was visiting a friend in penn station. Patient Denies SI/HI//AVH/ PMH/PPH

"Electronically signed by Audia Williams, RN at 01/09/20 0339"

**ED Dispo Note by Jessica Bonnie Poster, MD at 01/09/20 0344**

Author: Jessica Bonnie Poster, MD	Service: Psychiatric Emergency Dept	Author Type: Physician
Filed: 01/09/20 0347	Date of Service: 01/09/20 0344	Creation Time: 01/09/20 0344
Status: Signed	Editor: Jessica Bonnie Poster, MD (Physician)	

Note Initiated: 01/09/2020 at 3:44 AM

**ED Disposition Note:**

Diagnosis

The encounter diagnosis was Adjustment disorder with disturbance of conduct.

Disposition



**Bellevue**

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Acct #: 201306226  
Admit: 1/9/2020, Discharge: 1/9/2020

**ED Dispo Note by Jessica Bonnie Poster, MD at 01/09/20 0344 (continued)**

**ED Disposition**

ED Disposition	Comment
<b>Send to Adult</b>	
<b>ED</b>	El-Bey Clermontine discharge to home/self care. Sent to AES  Condition at discharge: Stable

Patient seen in CPEP for evaluation and is psychiatrically stable for discharge.

**ASSESSMENT**

Formulation: See PES note

Discharge Diagnosis:

**1. Adjustment disorder with disturbance of conduct**

Safety Risk Assessment: See SAFE-T and PES note

Discharge Medical Evaluation: I have reviewed the patient's physical and psychiatric needs before discharge, including laboratory and imaging studies obtained during this visit. Patient was in no acute medical distress at the time of my evaluation. Review of systems was completed, with no significant findings. No labs were collected during this visit. Patient is complaining of wrist pain and numbness after being hancuffed and will be sent to AES for workup.

**DISCHARGE PLAN**

**1. Psychiatric**

Medications: See Discharge Med Rec

Follow-up: See AVS

Safety plan completed? No, not indicated as patient not identified as high or moderate risk for suicide  
Patient is psychiatrically stable for discharge. Please see PES note and AVS for details of discharge plan.  
Discharge plan reviewed with patient, including to call 911 or return to nearest ED or CPEP in case of worsening symptoms.

**2. Medical**

Medications: See Discharge Med Rec

Follow-up: See AVS

Patient is medically stable for discharge. Please see AVS and Discharge Medical Evaluation above for details.

**Patient/Collateral Involvement**

Patient is in agreement with discharge plan: Yes

Collateral was involved in discharge planning: No

"Electronically signed by Jessica Bonnie Poster, MD at 01/09/20 0347"

**PES Physician Note by Jessica Bonnie Poster, MD at 01/09/20 0351**

Author: Jessica Bonnie Poster, MD	Service: Psychiatric Emergency Dept	Author Type: Physician
Filed: 01/09/20 0420	Date of Service: 01/09/20 0351	Creation Time: 01/09/20 0351
Status: Signed	Editor: Jessica Bonnie Poster, MD (Physician)	

**PSYCHIATRIC EMERGENCY SERVICES ASSESSMENT**



HHC HEALTH INFO MGMT  
160 Water St  
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Acct #: 201306226  
Admit: 1/9/2020, Discharge: 1/9/2020

**PES Physician Note by Jessica Bonnie Poster, MD at 01/09/20 0351 (continued)**

**Encounter Time:** Face-to-face evaluation with patient conducted at (date, time): 1/9/2020 330 am

**Encounter Location:** Bellevue Hospital Center - CPEP

Information/Referral Source

- Source of Referral: EMS/NYPD
- History obtained from: chart review and the patient
- Records from Previous Admissions/Provider(s) Reviewed? Yes, the following records were reviewed: Epic, Quadramed
- Barriers to Assessment: None

Language & Interpretation Needs/Services

- Preferred Language: English
- Patient is not hard of hearing, deaf, or mute
- Patient preferred to speak English for this assessment.
- Interpretation used: None required; clinician is authorized to speak in the patient's preferred language

**CHIEF COMPLAINT / REFERRAL REASON:**

**Chief Complaint**

Patient presents with

- EDP

*Pt was BIBA aided by NYPD from Penn Station where she was agitated fighting and combative*

**HISTORY OF PRESENT ILLNESS**

El-Bey Clermontine is a 26 y.o. female with alternate MRN 1704574 name Prinyah Godiah Elbey, with history of borderline personality disorder, malingering, somatization disorder, with prior hospitalizations most recent was at NCB in August after she made a suicidal gesture in order to not return to her nursing home, PMH of HTN, pseudozeisures, DVT, mild anemia, asthma, paraplegia (wheelchair bound since age 15), vertigo, constipation, gastritis, syncope, Wolf Parkinson White Syndrome who was BIB EMS/NYPD handcuffed when she refused to leave Penn Station. Notably police and EMS reported that she was aggressive with them and that they did not believe that she was paralyzed and that she is lying. Patient has well documented chart history of paralysis.

On arrival patient was very upset that she was handcuffed and was very focused on the pain in her hands. The cuffs were removed and she was calm once PD left. She was angry that they brought her to the hospital but while in CPEP was not verbally or physically aggressive with them. She stated that she was in Penn Station tonight meeting a friend who works there and one of the police vehicles asked her to leave. She stated that she did not understand why she had to leave since she was doing nothing and Penn Station is open all night. She stated that police then cuffed her and dragged her to the ground and kicked her in the side. She is upset about this interaction. She denied any mood symptoms, denied psychotic sx. She stated that she does not take or need any psych meds. She denies SI and HI. Denies AVH. She denied any substance use.

**Past Psychiatric History**

- Prior diagnoses: borderline personality disorder, somatization disorder, malingering, pseudoseizures
- Hospitalizations: Many beginning at a young age, last was after a suicidal gesture while in the hospital
- Outpatient treatment: Denies



**Bellevue**

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**PES Physician Note by Jessica Bonnie Poster, MD at 01/09/20 0351 (continued)**

- Medication trials: Zyprexa
- Suicide attempts/Self-harm: Many gestures but unclear if any actual attempts. patient denies today
- Violence: Denies
- Trauma/Abuse: Did not assess today but per chart patient with trauma history

**HIGH-RISK PSYCHIATRIC HISTORY**

High risk psychiatric history reviewed and updated in field above

**Substance Abuse History**

- Nicotine: Denies
- Alcohol: Denies
- Illicit drugs: Denies
- Prescription drugs: Denies
- Prior treatment: Denies

**Past Medical/Surgical History**

has no past medical history on file.

has no past surgical history on file.

**Medications:** No current facility-administered medications for this encounter.

No current outpatient medications on file.

Allergies not on file

**Family History (mental illness, substance use, suicide, other):** Not assessed

**Social History**

**Socioeconomic History**

• Marital status:	Unknown
Spouse name:	Not on file
• Number of children:	Not on file
• Years of education:	Not on file
• Highest education level:	Not on file

**Occupational History**

- Not on file

**Social Needs**

• Financial resource strain:	Not on file
• Food insecurity:	
Worry:	Not on file
Inability:	Not on file
• Transportation needs:	
Medical:	Not on file
Non-medical:	Not on file

**Tobacco Use**

- Smoking status:

Not on file

**Substance and Sexual Activity**

- Alcohol use:

Not on file

- Drug use:

Not on file

- Sexual activity:

Not on file

**Lifestyle**



**Bellevue**

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**PES Physician Note by Jessica Bonnie Poster, MD at 01/09/20 0351 (continued)**

- Physical activity:

Days per week:	Not on file
Minutes per session:	Not on file

- Stress:

Not on file
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**Relationships**

- Social connections:

Talks on phone:	Not on file
Gets together:	Not on file
Attends religious service:	Not on file
Active member of club or organization:	Not on file
Attends meetings of clubs or organizations:	Not on file
Relationship status:	Not on file

- Intimate partner violence:

Fear of current or ex partner:	Not on file
Emotionally abused:	Not on file
Physically abused:	Not on file
Forced sexual activity:	Not on file

**Other Topics**

- Not on file

**Social History Narrative**

- Not on file

**Was PSYCKES reviewed? No: patient declined**

**MENTAL STATUS EXAM**

Malodorous female dressed in many layers, laying on stretcher. She is calm once PD leave, she is cooperative and well related. No abnormal movements. Her speech is normal rate, volume and tone. Her TP is linear and logical. No SI or HI. Future oriented. No AVH. Not IP. No e/o delusions or paranoia. Her mood is "in pain" and her affect is labile. Her insight and judgment are fair and IC is intact.

SAFE-T Risk Level: Low Suicide Risk

**FORMULATION**

El-Bey Clermontine is a 26 y.o. female with BPD who was brought in by EMS/NYPD after she refused to leave Penn Station (though unclear why she needed to leave she was not sleeping there and they accused her of feigning her paraplegia) and was brought here for a psych eval after she was aggressive with PD. Patient has no psychiatric complaints, denies SI and HI. She is asking to leave, does not wish for any psych resources and wants to have her wrist evaluated. Her presentation is most consistent with an adjustment disorder on this presentation.

**Risk Assessment:**

Patient is not at acutely elevated risk for harm to self. She denies SI and is future oriented. She is not acutely manic, depressed, psychotic, intoxicated or withdrawing. Chronic risk factors include but are not limited to her homelessness, multiple medical issues, history of trauma/abuse, cluster B personality pathology with prior



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**PES Physician Note by Jessica Bonnie Poster, MD at 01/09/20 0351 (continued)**

suicidal gestures and acting out when her needs are not met.

Patient is not at acute risk for violence. She denies HI. She has been calm and in good behavioral control while here. She is not acutely psychotic, no CAH. She is not paranoid. She is not intoxicated or withdrawing. Chronic risk factors include but are not limited to prior hospitalizations, cluster B personality traits.

**Working Diagnosis:** adjustment disorder with disturbance of conduct

**PLAN**

- Discharge to AES for medical work up
- Patient was instructed to call 1-888-NYC-WELL, call 911, or return to CPEP if she develops suicidal or homicidal ideation, or any other new or worsening symptoms
- patient declined other MH or housing resources

"Electronically signed by Jessica Bonnie Poster, MD at 01/09/20 0420"

**ED Triage note by Shawnmarie Jackson, NP at 01/09/20 0354**

Author: Shawnmarie Jackson, NP	Service: Adult Psych	Author Type: Nurse Practitioner
Filed: 01/09/20 0355	Date of Service: 01/09/20 0354	Creation Time: 01/09/20 0354
Status: Signed	Editor: Shawnmarie Jackson, NP (Nurse Practitioner)	

Pt is AAO x 3 follows commands answers questions appropriately breathing room air without distress respirations regular and unlabored MOE x 4 irritable refusing to answer questions other than to state she is in pain and yelling at this examiner

"Electronically signed by Shawnmarie Jackson, NP at 01/09/20 0355"

**ED Progress Note by William Plowe, MD at 01/09/20 0637**

Author: William Plowe, MD	Service: Emergency Dept	Author Type: Resident
Filed: 01/09/20 0739	Date of Service: 01/09/20 0637	Creation Time: 01/09/20 0637
Status: Signed	Editor: William Plowe, MD (Resident)	
Cosigner: Allon Mordel, MD at 01/09/20 0851		

**ED Progress Note:**

XR wnl. Pt re-examined after tylenol, pain improved. Remains w/ paresthesias b/l hands worst in radial nerve distribution. Weakness improving, fires all fibers but remains w/ marked weakness globally in hands. Overall c/w handcuff neuropathy. Dispo complicated by fact that pt is wheelchair bound for paraplegia and needs her hands for mobility. Will continue to observe for improvement.

"Electronically signed by Allon Mordel, MD at 01/09/20 0851"

**ED Notes by Marina Dela Rosa Gabaya, RN at 01/09/20 0720**

Author: Marina Dela Rosa Gabaya, RN	Service: Emergency Dept	Author Type: Registered Nurse
Filed: 01/09/20 1156	Date of Service: 01/09/20 0720	Creation Time: 01/09/20 1156
Status: Signed	Editor: Marina Dela Rosa Gabaya, RN (Registered Nurse)	

Received pt. Asleep but arousable, no acute distress noted, awaits dispo.

"Electronically signed by Marina Dela Rosa Gabaya, RN at 01/09/20 1156"



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

**ED Supervisory Note by Aiden Rose Shapiro, MD at 01/09/20 0844**

Author: Aiden Rose Shapiro, MD	Service: Emergency Dept	Author Type: Resident
Filed: 01/09/20 0847	Date of Service: 01/09/20 0844	Creation Time: 01/09/20 0844
Status: Signed	Editor: Aiden Rose Shapiro, MD (Resident)	
Cosigner: Allon Mordel, MD at 01/09/20 0854		

26yo F pmh asthma, wpw, paraplegia from sailing accident, now here w wrist pain/numbness. Pt was an EDP BIBNYPD after being dragged from her wheelchair by police, thrown against wall, pinned on top of her arms in cuffs for over an hour. Subsequently she had severe pain in her hands/wrists, numbness/tingling, and weakness in blt hands. On exam pt very tender throughout hands. Diminished sensation in radial/medial distribution, better in ulnar. Minimal grip strength, although limited 2/2 pain. Will get xrs, pain control. Concern is for most likely neuropraxia, but given that pt ambulates via wheelchair, will be difficult to discharge without full function of her hands.

"Electronically signed by Allon Mordel, MD at 01/09/20 0854"

**ED Dispo Note by Kyle Pasternac, MD at 01/09/20 1003**

Author: Kyle Pasternac, MD	Service: Emergency Dept	Author Type: Resident
Filed: 01/09/20 1003	Date of Service: 01/09/20 1003	Creation Time: 01/09/20 1003
Status: Signed	Editor: Kyle Pasternac, MD (Resident)	
Cosigner: Jessica Harris Leifer, MD at 01/09/20 1035		

Note Initiated: 01/09/2020 at 10:03 AM

**ED Disposition Note:**

Diagnosis

The encounter diagnosis was Pain in both wrists.

Disposition

**ED Disposition**

ED Disposition	Comment
Discharge	EI-Bey Clermontine discharge to home/self care.  Condition at discharge: Good

Follow-Up With

No follow-up provider specified.

Home Medications No Changes

There are no discharge medications for this patient.

Home Medication Changes

Modified Medications

No medications on file

Discontinued Medications

No medications on file



# Bellevue

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Admit: 1/9/2020, Discharge: 1/9/2020

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**ED Dispo Note by Kyle Pasternac, MD at 01/09/20 1003 (continued)**


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**Prescriptions Given This Visit**

There are no discharge medications for this patient.

**Consults**

None

**Final Assessment and Plan**

NV intact b/l, still with pain but neuropraxia resolved.

"Electronically signed by Jessica Harris Leifer, MD at 01/09/20 1035"

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**ED Notes by Marina Dela Rosa Gabaya, RN at 01/09/20 1156**


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Author: Marina Dela Rosa Gabaya, RN	Service: Emergency Dept	Author Type: Registered Nurse
Filed: 01/09/20 1157	Date of Service: 01/09/20 1156	Creation Time: 01/09/20 1157
Status: Signed	Editor: Marina Dela Rosa Gabaya, RN (Registered Nurse)	

Pt. Transferred to D/C center, awake and responsive.

"Electronically signed by Marina Dela Rosa Gabaya, RN at 01/09/20 1157"

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**Progress Notes by Amy Acosta, LMSW at 01/09/20 1232**


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Author: Amy Acosta, LMSW	Service: —	Author Type: Social Worker
Filed: 01/09/20 1303	Date of Service: 01/09/20 1232	Creation Time: 01/09/20 1232
Status: Signed	Editor: Amy Acosta, LMSW (Social Worker)	

## VICTIM SERVICES PROGRAM

Victim Services Program (VSP) Social Worker (SW) was referred cas3e by ED SW Laura Ramkisson, LMSW x4730. Patient is a 26-year-old woman who was BIBEMS to Bellevue Hospital s/p assault. Patient was reportedly assaulted by NYPD and MTA officers at Penn Station. VSP SW met with patient in the Discharge Center. VSP SW identified patient via name and wristband. Patient felt comfortable disclosing her story to this VSP SW. VSP SW provided patient with emotional support as needed throughout this conversation. VSP SW shared with patient services available via the VSP, such as advocacy with law enforcement, trauma therapy services and medical bill compensation via the NYS Office of Victim Services. VSP SW provided patient with information on how to report her assault to the Civilian Complaint Review Board (CCRB). Patient expressed that she felt unsafe returning to her home (she currently lives with her grandmother) as she believes these officers will attempt to find her in her home. VSP SW provided patient with information on going into a shelter. Patient expressed an interest in a DV shelter with Safe Horizon and this VSP SW explained the difficulty to obtain a shelter under non-DV circumstances. Patient was adamant about calling SH and this VSP SW supported her decision and provided her with their contact information. VSP SW allowed patient time to contact SH and followed-up again with patient in the DC. Patient was on-hold to speak with her insurance company. Patient contacted SH, though was told by them to contact another "national organization", per patient. VSP SW also provided patient with information to Barrier Free Living and shelters for single women in NYC (Help Women's Shelter and Franklin Street Shelter).

VSP SW will remain available to the patient as needed.

Amy Acosta, LMSW x4739

"Electronically signed by Amy Acosta, LMSW at 01/09/20 1303"



**Bellevue**

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Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

#### ED Notes by Dawa Lhamo Dadak, RN at 01/09/20 1530

Author: Dawa Lhamo Dadak, RN	Service: Emergency Dept	Author Type: Registered Nurse
Filed: 01/09/20 1709	Date of Service: 01/09/20 1530	Creation Time: 01/09/20 1709
Status: Signed	Editor: Dawa Lhamo Dadak, RN (Registered Nurse)	

Patient called her own insurance for transportation, cab service.

"Electronically signed by Dawa Lhamo Dadak, RN at 01/09/20 1709"

#### ED Notes by Dawa Lhamo Dadak, RN at 01/09/20 1615

Author: Dawa Lhamo Dadak, RN	Service: Emergency Dept	Author Type: Registered Nurse
Filed: 01/09/20 1711	Date of Service: 01/09/20 1615	Creation Time: 01/09/20 1711
Status: Signed	Editor: Dawa Lhamo Dadak, RN (Registered Nurse)	

PCT Wheeled her to main entrance for her cab ride to her PCP as per patient . Patient refused Discharge instructions and sign discharge papers.

"Electronically signed by Dawa Lhamo Dadak, RN at 01/09/20 1711"

#### Patient Information

Patient Name: Elbey,  
**Prinyah Godiah**  
Date of Birth: **04/18/1993** MRN: **3726120**  
Sex: Female

#### Medication

acetaminophen (TYLENOL) tablet 650 mg

#### Order Information

Date	Department
1/9/2020	Bellevue ED ADULT

#### Order Providers

Authorizing	Billing
William Plowe	William Plowe

#### Hospital Medication Detail

acetaminophen (TYLENOL) tablet 650 mg Route: Oral	Dose 650 mg	Frequency Once	Start 1/9/2020	End 1/9/2020
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**END OF REPORT**

#### Patient Information

Patient Name: Elbey,  
**Prinyah Godiah**  
Date of Birth: **04/18/1993** MRN: **3726120**  
Sex: Female

#### Medication

ibuprofen (ADVIL, MOTRIN) tablet 800 mg

#### Order Information

Date	Department
1/9/2020	Bellevue ED ADULT

#### Order Providers



# Bellevue

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Admit: 1/9/2020, Discharge: 1/9/2020

## Order Providers (continued)

Authorizing  
Aiden Rose Shapiro

Billing  
Aiden Rose Shapiro

## Hospital Medication Detail

**ibuprofen (ADVIL, MOTRIN) tablet 800 mg**  
Route: Oral

Dose	Frequency	Start	End
800 mg	Once	1/9/2020	1/9/2020

**END OF REPORT**

## Patient Information

Patient Name: Elbey,  
Prinyah Godiah  
Date of Birth: 04/18/1993  
MRN: 3726120  
Sex: Female

## Medication

**ketorolac (TORADOL) injection 15 mg**

## Order Information

Date  
1/9/2020

Department  
Bellevue ED ADULT

## Order Providers

Authorizing  
Kyle Pasternac

Billing  
Kyle Pasternac

## Hospital Medication Detail

**ketorolac (TORADOL) injection 15 mg**  
Route: Intramuscular

Dose	Frequency	Start	End
15 mg	Once	1/9/2020	1/9/2020

**END OF REPORT**

## Patient Information

Patient Name: Elbey,  
Prinyah Godiah  
Date of Birth: 04/18/1993  
MRN: 3726120  
Sex: Female

## Medication

**HYDROcodone-acetaminophen (NORCO)  
5-325 mg per tablet**

## Order Information

Date  
1/9/2020

Department  
Bellevue ED ADULT

## Order Providers

Authorizing  
Kyle Pasternac

Billing  
Kyle Pasternac

## Hospital Medication Detail

**HYDROcodone-acetaminophen (NORCO) 5-325 mg  
per tablet**

Dose	Frequency	Start	End
1 tablet	Once	1/9/2020	1/9/2020

Admin Instructions: \*\* HIGH ALERT \*\*



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

#### Hospital Medication Detail (continued)

Route: Oral	Dose	Frequency	Start	End
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**END OF REPORT**

#### Patient Information

Patient Name: Elbey,  
Prinya Godiah  
Date of Birth: 04/18/1993  
MRN: 3726120  
Sex: Female

#### Medication

**ibuprofen (ADVIL, MOTRIN) 400 MG tablet**

#### Order Information

Date 1/9/2020	Department Bellevue ED ADULT
------------------	---------------------------------

#### Order Providers

Authorizing  
Kyle Pasternac

#### Outpatient Medication Detail

<b>ibuprofen (ADVIL, MOTRIN) 400 MG tablet</b>	Disp 30 tablet	Refills 0	Start 1/9/2020	End 1/16/2020
--	-------------------	--------------	-------------------	------------------

Sig - Route: Take 1 tablet (400 mg total) by mouth every 6 (six) hours as needed for pain for up to 7 days.  
 Take with food. - Oral  
 Sent to pharmacy as: ibuprofen (ADVIL, MOTRIN) 400 MG tablet  
 E-Prescribing Status: Receipt confirmed by pharmacy (1/9/2020 10:07 AM EST)

**END OF REPORT**

#### Order

**DX Wrist Comp Left [IMG102] (Order 134479545)**

#### DX Wrist Comp Left [134479543]

Electronically signed by: William Plowe, MD on 01/09/20 0451      Status: Completed  
 Ordering user: William Plowe, MD 01/09/20 0451      Ordering provider: William Plowe, MD  
 Authorized by: William Plowe, MD  
 Frequency: Once 01/09/20 0451 - 1 occurrence

##### Questionnaire

Question	Answer
Reason for Exam	Point tenderness
Is the patient pregnant?	No
Would you like this exam to be performed portably?	No

#### Result

**DX Wrist Comp Left (Order 134479545)**

#### RESULTS

**DX Wrist Comp Left [134479545]**

Resulted: 01/09/20 0557, Result status: Final result

Ordering provider: William Plowe, MD 01/09/20 0451

Resulted by:  
Jessica Hu, MD  
Phillip Guichet, MD



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

### RESULTS (continued)

Performed: 01/09/20 0530 - 01/09/20 0550

Accession number: BEDX2606195

Resulting lab: EMC RAD

Result details

Narrative:

History: Bilateral wrist pain after handcuffs

Technique: DX WRIST COMP RIGHT, DX WRIST COMP LEFT

Comparison: None available.

Impression:

Findings/Impression:

No acute fracture or dislocation. Alignment at both wrists is anatomic, joint spaces are preserved, and articular surfaces are unremarkable. No soft tissue abnormality.

Final report dictated by Phillip Guichet and signed by Jessica Hu, MD, 1/9/2020 5:57 AM

### Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
9 - EMCRad	EMC RAD	Model Lab Director	5301 Tokay Blvd. Madison WI 53711	01/24/07 1752 - Present

### Order

DX Wrist Comp Right [IMG103] (Order 134479546)

#### DX Wrist Comp Right [134479544]

Electronically signed by: William Plowe, MD on 01/09/20 0451

Status: Completed

Ordering user: William Plowe, MD 01/09/20 0451

Ordering provider: William Plowe, MD

Authorized by: William Plowe, MD

Frequency: Once 01/09/20 0451 - 1 occurrence

#### Questionnaire

Question	Answer
Reason for Exam	Point tenderness
Is the patient pregnant?	No
Would you like this exam to be performed portably?	No

### Result

DX Wrist Comp Right (Order 134479546)

### RESULTS

Resulted: 01/09/20 0557, Result status: Final result

#### DX Wrist Comp Right [134479546]

Ordering provider: William Plowe, MD 01/09/20 0451

Resulted by:

Jessica Hu, MD

Phillip Guichet, MD

Accession number: BEDX2606193

Result details

Performed: 01/09/20 0530 - 01/09/20 0550

Resulting lab: EMC RAD

Narrative:

History: Bilateral wrist pain after handcuffs

Technique: DX WRIST COMP RIGHT, DX WRIST COMP LEFT

Comparison: None available.



Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

**RESULTS (continued)**

Impression:

Findings/Impression:

No acute fracture or dislocation. Alignment at both wrists is anatomic, joint spaces are preserved, and articular surfaces are unremarkable. No soft tissue abnormality.

Final report dictated by Phillip Guichet and signed by Jessica Hu, MD, 1/9/2020 5:57 AM

**Testing Performed By**

Lab - Abbreviation	Name	Director	Address	Valid Date Range
9 - EMCRad	EMC RAD	Model Lab Director	5301 Tokay Blvd. Madison WI 53711	01/24/07 1752 - Present

**Order****ECG 12 Lead [ECG1] (Order 134479548)****ECG 12 Lead [134479547]**

Electronically signed by: William Plowe, MD on 01/09/20 0532

Status: Completed

Ordering user: William Plowe, MD 01/09/20 0532

Ordering provider: William Plowe, MD

Authorized by: William Plowe, MD

Frequency: Once 01/09/20 0533 - 1 occurrence

**Questionnaire**

Question	Answer
Reason for exam?	Tachycardia

**Result****ECG 12 Lead (Order 134479548)****RESULTS**

Resulted: 01/13/20 1244, Result status: Final result

**ECG 12 Lead [134479548]**

Ordering provider: William Plowe, MD 01/09/20 0532

Resulted by: Pedro de Armas, MD

Resulting lab: EMC RAD

Result details

**Narrative:**

Normal sinus rhythm

Normal ECG

No previous ECGs available

**Specimen Information**

ID	Type	Source	Collected On
—	—	—	01/09/20 1059

**Components**

Component	Value	Reference Range	Flag	Lab
Heart Rate	77	BPM	—	EMCRad
PR Interval	180	ms	—	EMCRad
QRS Interval	64	ms	—	EMCRad
QT Interval	394	ms	—	EMCRad
QTcB Interval	445	ms	—	EMCRad
P-Axis Horizontal	68	degrees	—	EMCRad
QRS Axis	47	degrees	—	EMCRad
T Wave Axis	59	degrees	—	EMCRad



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

### RESULTS (continued)

#### Testing Performed By

Lab - Abbreviation	Name	Director	Address	Valid Date Range
9 - EMCRad	EMC RAD	Model Lab Director	5301 Tokay Blvd. Madison WI 53711	01/24/07 1752 - Present

#### Order

#### Ambulatory Referral to Med Primary Care (MPC) [REF40] (Order 134479553)

##### Ambulatory Referral to Med Primary Care (MPC) [134479553]

Electronically signed by: Kyle Pasternac, MD on 01/09/20 1005

Status: Active

Ordering user: Kyle Pasternac, MD 01/09/20 1005

Ordering provider: Kyle Pasternac, MD

Authorized by: Kyle Pasternac, MD

Frequency: 01/09/20 -

Order comments: Reason for Referral: primary care

#### Result

#### Ambulatory Referral to Med Primary Care (MPC) (Order 134479553)

#### RESULTS

##### Ambulatory Referral to Med Primary Care (MPC) [134479553]

Result status: No result

Ordering provider: Kyle Pasternac, MD 01/09/20 1005      Result details

Scan on 1/9/2020 0345 by Sophia Ianthea Porter: PSYCH OPT OUT (below)



# Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

**ADULT AND C&A PSYCHIATRY HOSPITAL DIRECTORY  
CHOICE AND VISITOR RESTRICTION FORM**

FAX OR DELIVER TO: Admitting (Fax #4672, Ext. 4353, RM GD 59)

CLERMONTINE, EL-BEY  
CSN: 33246369  
DOB: 4/18/1993 (26 yrs) F  
MRN: 4040258  
Adm Date: 1/9/2020



1.  **CHOOSE NOT TO BE LISTED IN HOSPITAL DIRECTORY:** No information will be given to any caller, and no visitors will be allowed (BHC DEFAULT FOR PSYCHIATRY).

1A.  **OPTION TO ALLOW VISITORS:** If patient/legal guardian chooses to Opt Out, only these individuals MAY visit and receive directory information.

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2.  **CHOOSE TO BE LISTED IN HOSPITAL DIRECTORY:** Information will be given to any caller who inquires, and there will be no restrictions on visitation  
**NOT AN OPTION FOR C&A PSYCHIATRY.**

2A.  **OPTION TO RESTRICT VISITORS: ADULT:** If patient chooses to be listed, these individuals MAY NOT visit and no information will be given to them.  
**C&A PSYCHIATRY:** List additional specific visiting restrictions below.

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**SIGNATURES**

Staff Signature

CA

Title

1/9/2020

Date

Patient/Legal Guardian Signature

1/9/2020

Date

Patient/Legal Guardian Unable \_\_\_\_\_ Refused \_\_\_\_\_ to complete information. Opt out until completed.

**CLINICAL/ADMINISTRATIVE RESTRICTIONS**

3.  **RESTRICTION ON ALL VISITORS:** At request of the clinical or administrative team, visitation is restricted.

RESTRICTION AUTHORIZED BY \_\_\_\_\_ TITLE \_\_\_\_\_

No Visitors From \_\_\_\_\_ to \_\_\_\_\_ or NO VISITORS UNTIL  
Date Date FURTHER NOTICE

3A.  **RESTRICTION LIFTED** \_\_\_\_\_ Date \_\_\_\_\_

4.  **EXCEPTIONS:** Visitors allowed at other than regular visiting hours.

Name \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
Time Time

EXCEPTION AUTHORIZED BY \_\_\_\_\_ TITLE \_\_\_\_\_

DRAFT: Revision Date 03.22.10

Scan on 1/9/2020 0345 by Sophia Ianthea Porter: PSYCKES UNABLE (below)



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

**Details about patient information in PSYCKES and the consent process:**

**1. How Your Information Can be Used.** Your electronic health information can only be used by your treatment provider to:

- Provide you with medical treatment and related services
- Evaluate and improve the quality of medical care provided to all patients
- Notify your treatment providers if you have an emergency (e.g., go to an emergency room)

**2. What Types of Information About You Are Included?**

If you give consent NYC-HHC BELLEVUE HOSPITAL CENTER can access ALL of your electronic health information available through PSYCKES. This includes information created before and after the date of this Consent Form. The information in PSYCKES may include information from your health records, such as a history of illnesses or injuries you have had (like diabetes or a broken bone), test results (like X-rays, blood tests, or screenings), assessment results, and lists of medicines you have taken. Care plans, safety plans, and psychiatric advanced directives you and your treatment provider may have developed may also be included. This information may relate to sensitive health conditions, including but not limited to:

<ul style="list-style-type: none"> <li>• Mental health conditions</li> <li>• Alcohol or drug use problems</li> <li>• Birth control and abortion (family planning)</li> </ul>	<ul style="list-style-type: none"> <li>• Genetic (inherited) diseases or tests</li> <li>• HIV/AIDS</li> <li>• Sexually transmitted diseases</li> </ul>
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**3. Where Health Information About You in PSYCKES Comes From.**

If you received health related services that were paid for by Medicaid, information about those services will be in PSYCKES. If you received services from a State operated psychiatric center, health related information taken from your clinical records will also be in PSYCKES. However, although the information contained in PSYCKES may come from your clinical record, your PSYCKES record is not the same thing as your complete clinical record. PSYCKES information can also be entered by you or your treatment provider. Health information from other databases maintained by NYS is also included in PSYCKES. New health databases may be added to PSYCKES as available. For an updated list and more information about the data available in PSYCKES, visit the PSYCKES website at [www.psyches.org](http://www.psyches.org) and see "About PSYCKES" or ask your treatment provider to print the list for you.

**4. Who May Access Information About You, If You Give Consent.**

Only these people may access information about you: NYC-HHC BELLEVUE HOSPITAL CENTER's doctors and other providers who are involved in your care; health care providers who are covering or on call for NYC-HHC BELLEVUE HOSPITAL CENTER's; and staff members who carry out activities permitted by this Consent Form as described above in paragraph one.

**5. Penalties for Improper Access to or Use of Your Information.**

There are penalties for inappropriate access to or use of your electronic health information. If at any time you suspect that someone who should not have seen or gotten access to information about you has done so, call \_\_\_\_\_ at \_\_\_\_\_ ext. \_\_\_\_\_; or call the NYS Office of Mental Health Customer Relations at 800-597-8481.

**6. Re-disclosure of Information.**

Any electronic health information about you may be re-disclosed by NYC-HHC BELLEVUE HOSPITAL CENTER's to others only to the extent permitted by state and federal laws and regulations. This is also true for health information about you that exists in a paper form. Some state and federal laws provide special protections for some kinds of sensitive health information, including HIV/AIDS and drug and alcohol treatment. Their special requirements must be followed whenever people receive these kinds of sensitive health information.

**7. Effective Period.**

This Consent Form will remain in effect until 3 years after the last date you received any services from NYC-HHC BELLEVUE HOSPITAL CENTER's, or until the day you withdraw your consent, whichever comes first.

**8. Withdrawing Your Consent.**

You can withdraw your consent at any time by signing a Withdrawal of Consent Form and giving it to \_\_\_\_\_. You can also change your consent choices by signing a new Consent Form at any time. You can get these forms from this provider or from the PSYCKES website at [www.psyches.com](http://www.psyches.com), or by calling \_\_\_\_\_'s at \_\_\_\_\_ ext. \_\_\_\_\_. Note: Organizations that access your health information through NYC-HHC BELLEVUE HOSPITAL CENTER's while your consent is in effect may copy or include your information in their own medical records. Even if you later decide to withdraw your consent, they are not required to return it or remove it from their records.

**9. Copy of Form.** You are entitled to receive a copy of this Consent Form after you sign it.

Revised 10.11.2016



# Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

### PSYCKES CONSENT FORM

#### NYC-HHC BELLEVUE HOSPITAL CENTER

The Psychiatric Services and Clinical Enhancement System (PSYCKES) is web-based application maintained by the New York State (NYS) Office of Mental Health (OMH). It contains health information from the NYS Medicaid database, health information from clinical records, and information from other NYS health databases. For an updated list and more information about the NYS health databases in PSYCKES, visit [www.psycakes.org](http://www.psycakes.org) and see "About PSYCKES."

PSYCKES data includes identifying information (such as your name and date of birth), information about health services that have been paid for by Medicaid, information about your health care history (such as treatment for illnesses or injuries, test results, lists of medication you have taken), and information entered by you or your treatment provider into the PSYCKES application (such as a Safety Plan).

The health information in PSYCKES can help your provider care. In this Consent Form, you can choose whether or not to give your provider electronic access to your health information that is in PSYCKES. You can give consent or deny consent, and this form may be filled out now or at a later date. Your choice will not affect your ability to get medical care or health insurance coverage. Your choice to give or to deny consent will not be the basis for denial of health services.

If you check the "I GIVE CONSENT" box below, you are saying "Yes, this provider's staff involved in my care may get access to all of my medical information that is in PSYCKES."

If you check the "I DENY CONSENT" box below, you are saying "No, this provider may not see or be given access to my medical information through PSYCKES." THIS DOES NOT MEAN YOUR PROVIDER IS COMPLETELY BARRED FROM ACCESSING YOUR MEDICAL INFORMATION IN ANY WAY. FOR EXAMPLE, IF THE MEDICAID PROGRAM HAS A QUALITY CONCERN ABOUT YOUR HEALTHCARE, THEN UNDER FEDERAL AND STATE REGULATIONS YOUR PROVIDER MAY BE GIVEN ACCESS TO YOUR DATA TO ADDRESS THE QUALITY CONCERN. QUALITY CONCERN HELP HEALTHCARE PROFESSIONALS DETERMINE WHETHER THE RIGHT SERVICES ARE BEING DELIVERED AT THE RIGHT TIME TO THE RIGHT PEOPLE. THERE ARE ALSO EXCEPTIONS TO THE CONFIDENTIALITY LAWS THAT MAY PERMIT YOUR PROVIDER TO OBTAIN NECESSARY INFORMATION DIRECTLY FROM ANOTHER PROVIDER FOR TREATMENT PURPOSES UNDER STATE AND FEDERAL LAWS AND REGULATIONS.

Please carefully read the information on the back of this form before making your decision.

Your Consent Choices. You can fill out this form now or in the future. You have two choices:

I GIVE CONSENT for this provider to access ALL of my electronic health information that is in PSYCKES in connection with providing me any health care services.

I DENY CONSENT for this provider to access my electronic health information that is in PSYCKES; however, I understand that my provider may be able to obtain my information even without my consent for certain limited purposes if specifically authorized by state and federal laws and regulations.

Print Name of Patient

Date of Birth of Patient

CLERMONTINE, EL-BEY  
CSN: 33246869  
DOB: 4/18/1993 (26 yrs) F  
MRN: 4040258  
Adm Date: 1/9/2020

Pt unsl

1/9/2020



Signature of Patient or Patient's Legal Representative

Print Name of Legal Representative (if applicable)  
Relationship of Legal Representative to Patient (if applicable)

Sophia Porter

Signature of Witness

Print Name of Witness

Scan on 1/9/2020 0422 by June Bennett (below)



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

1/9/2020 2:35 AM FROM: Physio-Control TD: +12125625138 P. 1

### Prehospital Care Report Summary

FDNY

Date: 01/09/2020 Call #: 0301 Booklet: 86169737 Branch: STA07 Time Zone: America/New\_York

**Call Information:**

		# Patients Transported
	In My Unit:	1
	# Patients at Scene:	1
Disposition:	Treated/Transported (10-82)	
Initial Patient Acuity:	Stable	
Unit #:	07C1 - 07C Tour 1: 2300-0700 , Ground-Ambulance - BLS	Trip Type: Initial Trip
Run Type to Scene:	Emergent (Immediate Response)	
Incident Facility:		
Incident Location:	W 34 ST/7 AVE - Manhattan, NY 10120 (New York County)	
Incident Location Type:	Public Building	
Receiving Facility:	2 - Bellevue (Hospital) - 472 1 Avenue - NY, NY 10016	
Facility Address:	472 1 Avenue - NY, NY 10016	
Destination Type:	Hospital Emergency Dept	
Dest. Reason:	Nearest/Most Accessible Facility	
Hospital Capability:	Hospital (General)	
Condition of Patient At Destination:	Unchanged	
Registration #	N/A	
Online Medical Control		
Authorization Type:	Protocol	
Time On Scene:	10 Min	
Time to Destination:	23 Min	
Total Time of Run:	49 Min	

Loaded Mileage: 1.4 (Total Mileage: 1.4)

Crew Members: James Ward #2396, EMT Basic(DS)(DH); James Acevedo, EMT Basic(DOC)

Moved to Amb By: Stretcher Transport Position: Semi/Full Fowlers From Amb By: Stretcher

Call Origin: N/A Lights/Siren: Scene - No Lights and Sirens, Destination - No Lights and Sirens

**Patient Information:**

Name:	Elbey clermontine	DOB:	04/18/1993
Address:	40 ann st #2ba - ny, NY 10038	Gender:	Female
Phone:		Age:	26 Years
Email:		Weight:	150 lbs. 68.04 kg
SSN:		Breastfed:	
Driver License:			

**Other Contact Info**

Name: Phone: Cell Phone:  
Relationship:

Current Meds: \* NO KNOWN MEDICATION Comments:  
Env Allergies: NKA Comments:  
Med Allergies: \* NO KNOWN ALLERGIES (NKA) Comments:

Patient Physician:

Advanced Directives:

PMH: None

Comment:

Patient Physical Limitations:

Comment:

Pregnancy: No

**Payer Information:**

Work Related: No	Name: Self Pay	Type: Self Pay	Policy #: _____	Group #: _____
Priority: _____	Name: Self Pay	Type: Self Pay	Policy #: _____	Group #: _____
Policy Holder: _____	Apt	Phone: _____	DOB: _____	
Relationship of Patient to Insured:				
40 ann st , Apt 2ba - ny, NY 10038				

**Advance Beneficiary Notice**

Not a Medical Necessity: No

Non Covered Service: No

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## Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

1/9/2020 2:35 AM FROM: Physio-Control TO: +12125625138 P. 2

Mileage Beyond Closest Appropriate Facility: No  
Requested Service:  
Representative Relation:

**Preferred Physician:** No

#### Clinical:

**Onset Date/Time:** 01/09/20 02:45:35  
**Last Known Well Date/Time:** 01/09/20 02:43:36  
**Dispatch Reason (EMD):** EDP EDP - Psychiatric Patient  
**Medical Need:**

**Chief Complaint (Primary):** behavioral disorder   **Duration:** 1 Minutes  
**Anatomic Location:** Head

Provider Impression: Not Listed (Specify in Narrative)  
Was this event weather-related? No

Was this event weather related? No

#### Mechanism of Injury

### Protocol 1:

## Protocol 2:

## Assessments:

Time	Employee	Type	Summary
03:01:23	Acevedo, James	ABC	<p>Pertinent Negative:</p> <p>Airway: General: Patent</p> <p>Breathing: Rate: Normal Quality: Unlabored Lung Sounds: Left: Clear Lung Sounds: Right: Clear</p> <p>Circulation: General: Normal Skin Color: Normal Skin Temperature: Normal Skin Condition: Normal</p> <p>Skin Capillary Refill: Normal</p>
03:01:33	Acevedo, James	Neurological	<p>Mental Status: Normal</p> <p>Neurological: All Neuro Normal</p> <p>AVPU: Alert</p>
03:02:27	Acevedo, James	Head To Toe	<p>Head and Neck: Normal</p> <p>Left Eye: PERRL</p> <p>Right Eye: PERRL</p> <p>Neck: Normal</p>

## Vitals:

Time	Employee	Summary
02:49:27	Acevedo, James	BP: Systolic Refused/ Diastolic Refused Pulse: Refused Resp: 18 Effort: Normal Glasgow Coma Score: E (Unable to complete) + V (Unable to complete) + M (Unable to complete) = N/A - Adult
03:01:27	Acevedo, James	BP: Systolic Refused/ Diastolic Refused Pulse: Refused Resp: 18 Effort: Normal Glasgow Coma Score: E (Unable to complete) + V (Unable to complete) + M (Unable to complete) = N/A - Adult

**Treatments/Medications:**

Time	Employee	Summary
03:01:40	Acuedo, James	Treatment 1 - BLS Assessment Attempts: 1 Success: Yes Response: Unchanged Complication: None Authorization Type: Protocol Level: BLS

## Supply

Qty Supply



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

1/9/2020 2:35 AM FROM: Physio-Control TO: +12125625138 P. 3

ECG Device Incident Number:

PowerFields:

PowerField	Value
CC / PI / MOI - Provider Impression - Primary impression - Did call type match presenting problem?	Yes

Narrative History Text:

PT: 26 year old female found handcuffed in police custody after she began kicking police while in elevator being ejected from train station. pt. refused all vitals transport to hosp. # 02 for evaluation monitor enroute.

Unable to Sign:

Unable to Sign Reason: Physically Incapable  
Authorized Representative: No authorized representative is available or willing  
Authorized Representative Signature: No  
Secondary Documentation: Unable to obtain secondary documentation  
Secondary Documentation Signature: No  
Comment:

Auth Signature: No Privacy Sig: No Unable to Sign: Yes Refused to Sign: No

Signature Image(s):

Authorization Signature

Privacy Notice Signature



Receiving RN / MD Signature - Jessica poster - 01/09/2020 03:17  
\*\*\*"RN" or "Nurse" is an UNACCEPTABLE entry. Crew members MUST document the RN or Nurse's FULL NAME\*\*\*



Technician Signature - Acevedo, James - 01/09/2020 03:28



2015 RELEASE UNDER E.O. 14176 - CONFIDENTIAL - 2021/06/24 10:49:46 PM - 2022/06/24 10:49:47 PM - 3 of 3 - XGP:jpm

Scan on 1/9/2020 0343 by Sophia Ianthea Porter: UNABLE (below)



Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

**ACKNOWLEDGMENT OF ADVANCE DIRECTIVES**



Bellevue

**ADVANCE DIRECTIVES**

Advance directives are defined as written or oral instructions concerning the provision of health care when a patient no longer has the capacity to make such decisions.

There are four (4) types of Advance Directives:

1. **Health Care Proxy** Appointing a person who would make health care decisions for the patient when the patient cannot make decisions for him/herself.
2. **Psychiatric Advance Directive** Advance instructions on how you want to be treated when you have a mental health crisis or are hospitalized.
3. **Living Will** Advance instructions provided by the patient about their future course of medical treatment when they no longer have the capacity to make such decisions.
4. **DNR (Do Not Resuscitate)** Advance instructions by the patient stating that he/she refuses to be brought back to life in the case that their vital organ system fails.

Medical Health Care Proxy forms are available in the Patient Advocacy Office, GD-90 or on the internet at:

<http://www.health.state.ny.us/home.html>

Click 'Info for Consumers' and then select 'Health Care Proxy' from the list.

More information and forms concerning Planning for your Mental and Physical Health Care and Treatment can be found on the Internet at: [www.nyaprs.org](http://www.nyaprs.org)



Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinya Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

## ACKNOWLEDGMENT OF ADVANCE DIRECTIVES



Bellevue

We are required by law to ask you the following questions:

Do you need an interpreter?  YES  NO

If YES, Interpreter sign below

Interpreter \_\_\_\_\_ ID Number \_\_\_\_\_

CLERMONTINE, EL-BEY  
CSN: 33246869  
DOB: 4/18/1993 (26 yrs) F  
MRN: 4040258  
Adm Date: 1/9/2020



Language Used Eng

1. Have you completed a Medical Health Care Proxy? (Designated someone who can make health care decisions if you are not able) if:  Yes  No

Telephone Number \_\_\_\_\_

Name of Health Care Proxy/Agent \_\_\_\_\_

2. Have you completed a Psychiatric Advance Care Directive? (It states your choice on how you want to be treated when you have a mental health crisis or hospitalization) If:  YES, GO TO #3  NO, GO TO #43. Do you have a copy of this form with you?  YES (Copy for Chart)  NO, GO TO #4  Copies in Chart

4. If you have not completed your Medical or Psychiatric Advance Directive, or you do not have a copy, would you like to complete one?

a) Medical Health Care Proxy  YES (fax to 3366)  NO b) Psychiatric Advance Directive  Yes (Receive Information)  No

5. Would you like to have a discussion to learn more about Medical Health Care Proxy?

 YES (fax to 3366)  NO

6. Would you like to have a discussion to learn more about Psychiatric Advance Directives?

 Yes (Direct to CPEP social worker)  No"I acknowledge receipt of the booklet *Your Rights as a Hospital Patient in New York State* prepared by the New York State Department of Health, and of ADVANCE DIRECTIVES education."

Patient's Signature Pt unable

Date 1/9/2020

OR

Signature of Patient's Representative \_\_\_\_\_

Relationship to Patient \_\_\_\_\_

Hospital Staff Representative

Date 1/9/2020

\* Patient unable to sign \* Patient refuses to sign 

\* STATE REASON \_\_\_\_\_

Pt unable/Agitated

REFERRED TO PATIENT ADVOCACY  
FOR THE FOLLOWING:Date \_\_\_\_\_ Time \_\_\_\_\_  
fax to 3366 Patient wants additional information Patient wishes to complete Health Care Proxy Education not possible (Patient unresponsive, Trauma, OR) Living Will

Advocate's Signature \_\_\_\_\_

Revised 3/14



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

Document on 1/9/2020 1534 by Dawa Lhamo Dadak, RN: Visit Summary - Emergency Department (below)

## AFTER VISIT SUMMARY

El-Bey Clermontine MRN: 4040258



**Bellevue**

1/9/2020 Bellevue ED ADULT 212-562-4141

### Instructions



Your medications have changed



START taking:

ibuprofen (ADVIL, MOTRIN)

Review your updated medication list below.



Pick up these medications at Bellevue Hospital Center Pharmacy - New York, NY - 462 1st Ave.

ibuprofen

Address: 462 1st Ave., New York NY 10016

Phone: 212-562-2289



Ambulatory Referral to Med Primary Care (MPC)

Scheduled for 1/30/2020

Expires: 7/7/2020 (requested)

### What's Next



JAN 30 Follow Up Visit  
Thursday January 30 1:20 PM  
2020 Ambulatory Care Building: 2nd Floor

Bellevue Primary Care  
462 1st Ave  
New York NY 10016  
844-692-4692  
Arrive at: AMB Care:  
Area 2C

## General Emergency Department Discharge Instructions

We appreciate that you chose us as your healthcare provider.

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit please call us at the included phone number above on this form. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

### Today's Visit

You were seen by Alton Mordel, MD and  
WILLIAM PLOWE, MD

#### Reason for Visit

Bilateral wrist pain

#### Diagnosis

Pain in both wrists

#### Imaging Tests

DX Wrist Comp Left

DX Wrist Comp Right

ECG 12 Lead

#### Medications Given

acetaminophen (TYLENOL) last given  
at 4:55 AM

HYDROcodone-acetaminophen  
(NORCO) last given at 10:00 AM

ibuprofen (ADVIL, MOTRIN) last given  
at 6:27 AM

ketorolac (TORADOL) last given at  
10:00 AM



CHART

With MyChart, you can... Message your  
doctor... Request refills... See test results...  
See your visit summaries and upcoming  
appointments and much much more...

To sign up go to <http://mychart.nychealthandhospitals.org>,  
click "Sign Up Now", and enter personal  
activation code: XX2SJ-97ZSJ  
Expires: 4/8/2020 3:34 PM.

#### Additional Information:

If you have questions, you can go to  
<https://epicmychart.nyhc.org/help>  
to contact our MyChart staff. Remember,  
for emergencies, always call 911 - do not  
use MyChart.



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

### General Emergency Department Discharge Instructions (continued)

*It is important that you keep appointments that may have been scheduled. If you are unable to make an appointment, please call the corresponding clinic to reschedule your appointment.*

### Instructions



Your medications have changed



START taking:  
ibuprofen (ADVIL, MOTRIN)

Review your updated medication list below.

### Home Medication Information

The list of your home medications is based on the information provided by you (or your representative) during your Emergency Department visit, and/or the information contained in your medical record. In addition, some of your home medications **may have been changed** by the Emergency Department provider who evaluated you. These changes **may** include:

- New medications
- Changes to the amount or how often you take a medication
- Discontinuation of a medication

Please review the information below carefully. **Continue all your current medications as you are presently taking, with the exception of the following changes below. If you have questions about any of the medications or the changes, please contact your Primary Care Physician, the Provider who prescribed the medication, or your Pharmacist.**



Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

## Changes to Your Medication List

START taking these medications



ibuprofen 400 MG tablet  
Commonly known as: ADVIL, MOTRIN

Take 1 tablet (400 mg total) by mouth every 6 (six) hours as needed for pain for up to 7 days. Take with food.

## Your Treatment Plan

The treatment you have received during your visit was provided on an **emergency basis only** and is not meant to be a replacement for ongoing medical care. The information provided in these discharge instructions, **including follow up information**, should be followed in order to ensure proper treatment of your condition.

Thank you for being a patient at BELLEVUE ED ADULT today. If your prescription was sent to the internal hospital pharmacy, please keep this paper for your records and provide to the pharmacist when you arrive. Thank you again!

Patient EMPI: 100464818 - For Internal Pharmacy Use Only



100464818



10100464818



**Bellevue**

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

### Acknowledgement of Discharge Instructions

- I understand the treatment received during this visit was provided on an **emergency basis only** and is not meant to be a replacement for ongoing medical care. I also understand the information provided in these discharge instructions, **including follow up information**, should be followed in order to ensure proper ongoing treatment of my complaint/diagnosis.
- A member of the Emergency Department staff has reviewed the discharge instructions provided to me and has answered any questions I may have had regarding these instructions.

*Patient/Representative Signature*

*Relationship to Patient*

*Date*                           *Time*

*Witness*

*Date*                           *Time*

El-Bey Clermontine  
CSN: 33247024  
DOB: 4/18/1993  
female  
MRN: 4040258  
Adm Date: 1/9/2020





Bellevue

HHC HEALTH INFO MGMT  
160 Water St  
New York NY 10041

Patient: Elbey, Prinyah Godiah  
MRN: 3726120, DOB: 4/18/1993, Sex: F  
Acct #: 201306244  
Admit: 1/9/2020, Discharge: 1/9/2020

---

END OF REPORT

---

## AFTER VISIT SUMMARY

Eli Bey Clermontine MRN 4040258

### INSTRUCTIONS

Your medications have changed



- START taking  
Ibuprofen (ADVIL, MOTRIN)

Please see your updated medication list below.

Pick up these medications at Bellevue Hospital Center Pharmacy - New York, NY - 462 1st Ave.

Ibuprofen

Address: 462 1st Ave, New York NY 10016

Phone: 212-562-2385



### Ambulatory Referral to Med Primary Care (MPC)

Scheduled for 1/30/2020

Expires: 7/7/2020 (requested)

### What's Next

JAN Follow Up Visit  
30 Thursday January 30 1:20 PM  
2020 Ambulatory Care Building: 2nd Floor

Bellevue Primary Care  
462 1st Ave  
New York NY 10016  
844-692-4692  
Arrive at: AMB Care: Area 2C

## General Emergency Department

### Discharge Instructions

We appreciate that you chose us as your healthcare provider.

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit please call us at the included phone number above on this form. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

Clermontine (MRN: 4040258) • Printed at 1/9/20 3:34 PM

HEALTH+  
HOSPITALS

Bellevue

1/9/2020 | Bellevue ED / ADULT 212-562-4344

### Today's Visit

You were seen by Allan Mordel, MD and William Ploof, MD

### Reason for Visit

Bilateral wrist pain

### Diagnosis

Pain in both wrists

### Imaging Tests

DX Wrist Comp Left

DX Wrist Comp Right

ECG 12 Lead

### Medications Given

acetaminophen (TYLENOL) last given at 4:55 AM

HYDROcodone-acetaminophen (NORCO) last given at 10:00 AM

Ibuprofen (ADVIL, MOTRIN) last given at 8:27 AM

ketorolac (TORADOL) last given at 10:00 AM

### MYCHART

With MyChart, you can... Message your doctor... Request refills... See test results... See your visit summaries and upcoming appointments and much much more...

To sign up go to <http://mychart.nychealthandhospitals.org>, click "Sign Up Now", and enter personal activation code: XX2SJ-97ZSJ

Expires: 4/8/2020 3:34 PM

### Additional Information:

If you have questions, you can go to <https://epicmychart.nychihc.org/help> to contact our MyChart staff. Remember for emergencies, always call 911 - do not use MyChart.

## General Emergency Department Discharge Instructions (continued)

It is important that you keep appointments that may have been scheduled. If you are unable to make an appointment, please call the corresponding clinic to reschedule your appointment.

### Instructions



#### Your medications have changed

- ➊ START taking  
Ibuprofen (ADVIL, MOTRIN)

Review your updated medication list below.

### Home Medication Information

The list of your home medications is based on the information provided by you (or your representative) during your Emergency Department visit, and/or the information contained in your medical record. In addition, some of your home medications **may have been changed** by the Emergency Department provider who evaluated you. These changes may include:

- New medications
- Changes to the amount or how often you take a medication
- Discontinuation of a medication

Please review the information below carefully. Continue all your current medications as you are presently taking, with the exception of the following changes below. If you have questions about any of the medications or the changes, please contact your Primary Care Physician, the Provider who prescribed the medication, or your Pharmacist.

### Acknowledgement of Discharge Instructions

I understand the treatment received during this visit was provided on an **emergency basis only** and is not meant to be a replacement for ongoing medical care. I also understand the information provided in these discharge instructions, **including follow up information**, should be followed in order to ensure proper ongoing treatment of my complaint/diagnosis.

- A member of the Emergency Department staff has reviewed the discharge instructions provided to me and has answered any questions I may have had regarding these instructions.

Patient/Representative Signature:

Relationship to Patient:

Date \_\_\_\_\_ Time \_\_\_\_\_

Witness:

Date \_\_\_\_\_ Time \_\_\_\_\_

*Ei-Bey Clermontine*

CSN: 33247024

DOB: 4/18/1993

female

MRN: 4040258

Adm Date: 1/9/2020



United Nations A/HRC/EMRIP/2021/2 General Assembly  
Affidavit: Notice Grievances International Courts  
Against New York City  
for violations of the Internationals Laws,  
Indigenous Tribal Treaties  
&  
U.N. Indigenous Laws, et al., .

Human Rights Council

Expert Mechanism on the Rights of Indigenous Peoples

Fourteenth session

12–16 July 2021

Agenda item 8

Efforts to implement

the United Nations Declaration on the Rights of Indigenous Peoples

Efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: indigenous peoples and the right to self-determination

Draft report of the Expert Mechanism on the Rights of Indigenous Peoples

--x

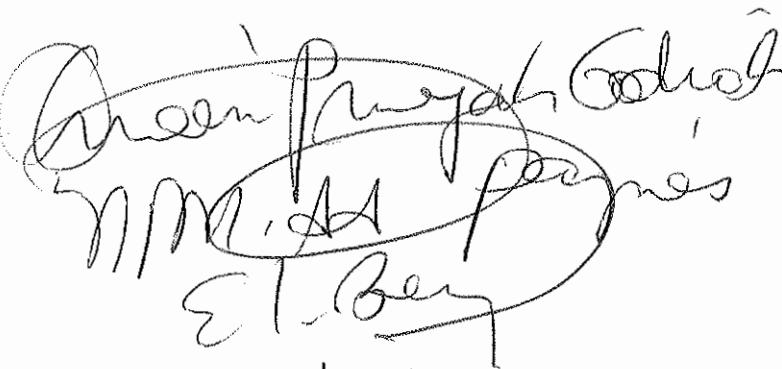
**Grievance Against the State Of New York,**  
**United State of America:**

**AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS  
PEOPLES &  
THE UNITED STATES SUPREME COURT.**

government are to be held to the most stringent "fiduciary" (trust) standards. With respect to Salmon, it cannot be said that federal agencies have always met their trust responsibilities.

Please note this Notice Grievance against the wrong-doing & the refusal of giving me true-justice and refused to file Criminal Crimes against an MTA Police Officer by the name if Lyland C. Crocilla & his partners in Crimes.

- Notice and lawsuit was mail to fourteen-different International Countries who I had been in communications with, after they received information's, documents and details about this Brutal Abuse case that I have been dealt with the City Of New York is protecting the white police officer whom had attacking me, still to this days I do not know why?
- I will file this case also in Supreme Court for True-Justice because I want Criminal Charges to be against those officer and if Supreme Court refused I will move forward and give special permissions to those courts to do what I need they need to do to bring this case under their Jurisdictions under the Indigenous Human Right's, International Humans Rights and U.S. Treaties with Tribal that the State and City of New York refused to honors its owns laws, edicts, legalese, rules and regulations along with the Constitutions and other several other laws that have been breach/broken and that are still being broken by New York City those high in Power.
- Please see Court Documents attach with this Affidavit, there will be fifteen of this affidavit of Grievance's will be mailed out and file with both Internationals Courts and, The United States Federal Court & The United States Supreme Court.

  
D-P. Lynch  
M.A. Payne  
El-Bey

Sept 2, 2021

On this 5<sup>th</sup> day of September 2021  
Before me came D-P. Lynch, M.A. Payne's El-Bey  
to me known to be the individual described in and  
who executed the foregoing instrument and  
acknowledged that he/she executed the same



BONNY ALGOZZINE  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01AL6394009  
QUALIFIED IN DUTCHESS COUNTY  
MY COMMISSION EXPIRES 7/1/2023

**Dear Members:**

- **Member of UN General Assembly**
- **Of American Declaration of the Rights of Indigenous People**
  - **Court of Justice of The European Union (CJEU)**
- **United Nations High Commissioner of Human Rights (OHCHR)**
  - **France Defenseur Des Droits**
  - **International Courts**
- **Supreme Court of United States of America**

---

➤ **Under Article 9 of the International Convention Elimination of All Forms of Racial Discrimination.**

**Under the American Declaration on The Rights of Indigenous People;**

- **Article VIII.** Right to belong to the indigenous people's Indigenous persons and communities have the right to belong to one or more indigenous peoples, in accordance with the identity, traditions, customs, and systems of belonging of each people. No discrimination of any kind may arise from the exercise of such a right.
- **Article IX.** Juridical personality the states shall recognize fully the juridical personality of the indigenous peoples, respecting indigenous forms of organization and promoting the full exercise of the rights recognized in this Declaration.
- **Article XII.** Guarantees against racism, racial discrimination, xenophobia, and other related forms of intolerance Indigenous peoples have the right not to be subject to racism, racial discrimination, xenophobia, and other related forms of intolerance. The states shall adopt the preventive and corrective measures necessary for the full and effective protection of this right.
- **Article XIII.** Right to cultural identity and integrity 1. Indigenous peoples have the right to their own cultural identity and integrity and to their cultural heritage, both tangible and intangible, including historic and ancestral heritage; and to the protection, preservation, maintenance, and development of that cultural heritage

for their collective continuity and that of their members and so as to transmit that heritage to future generations. 2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

- **Article XX.** Rights of association, assembly, and freedom of expression and thought 1. Indigenous peoples have the rights of association, assembly, organization and expression, and to exercise them without interference and in accordance with their worldview, inter alia, values, usages, customs, ancestral traditions, beliefs, spirituality, and other cultural practices. 2. Indigenous peoples have the right to assemble on their sacred and ceremonial sites and areas. For this purpose, they shall have free access and use to these sites and areas. 3. Indigenous peoples, in particular those who are divided by international borders, shall have the right to travel and to maintain and develop contacts, relations, and direct cooperation, including activities for spiritual, cultural, political, economic, and social purposes, with their members and other peoples. 4. These states shall adopt, in consultation and cooperation with the indigenous peoples, effective measures to ensure the exercise and application of these rights.
- 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them
- **Article XXIV.** Treaties, agreements, and other constructive arrangements
  - 1. Indigenous peoples have the right to the recognition, observance, and enforcement of the treaties, agreements and other constructive arrangements concluded with states and their successors, in accordance with their true spirit and intent in good faith and to have the same be respected and honored by the States. States shall give due consideration to the understanding of the indigenous peoples as regards to treaties, agreements and other constructive arrangements.

2. When disputes cannot be resolved between the parties in relation to such treaties, agreements and other constructive arrangements, these shall be submitted to competent bodies, including regional and international bodies, by the States or indigenous peoples concerned.

- **Article XXX.** Right to peace, security, and protection 1. Indigenous peoples have the right to peace and security.
- **Article XXXI** 1. The states shall ensure the full enjoyment of the civil, political, economic, social, and cultural rights of indigenous peoples, as well as their right to maintain their cultural identity, spiritual and religious traditions, worldview, values and the protection of their religious and cultural sites, and human rights contained in this Declaration.
- The states shall promote, with the full and effective participation of the indigenous peoples, the adoption of the legislative and other measures that may be necessary to give effect to the rights included in this Declaration.
- **Article XXXII** All the rights and freedoms recognized in the present Declaration are guaranteed equally to indigenous women and men.
- **Article XXXIII** Indigenous peoples and persons have the right to effective and appropriate remedies, including prompt judicial remedies, for the reparation of all violations of their collective and individual rights. The states, with full and effective participation of indigenous peoples, shall provide the necessary mechanisms for the exercise of this right.
- **Article XXXVIII** the Organization of American States, its organs, agencies, and entities, shall take all necessary measures to promote the full respect, protection, and application of the rights of indigenous peoples contained in this Declaration and shall endeavor to ensure their efficacy.
- As Tribal person; Tribes have a unique status in the American system of government. They are neither foreign nations, nor exactly like states. Tribes are distinct political communities, defined in law as “domestic, dependent nations.” In its 1832 Cherokee Nation v. Georgia decision, the Supreme Court described the obligation of the United States to tribes as that of a guardian to his wards. Subsequent court decisions have made it clear that the agencies of the Federal

**The mayor Office**

Attention: Bill De Blasio

City Hall, NYC 10017

Civilians Complaint Review Board

100 Church Street, 10<sup>th</sup> Floor

New York, NY 10007

**New York City**

City of New York, Attn: Corporation Counsel,

100 Church St., 5<sup>th</sup> Fl., New York, NY 10007

**Department of Investigation**

180 Maiden Lane, 16<sup>th</sup> Floor

New York, NY 10038

**New York City Department of Health**

Elizabeth F. Whalen, MD, MPH, Commissioner

Please forward to legal/right dept.

175 Green Street Albany, NY 12202Phone

(518) 447-4580Fax (518) 447-4698

**New York New York Secretary of State**

123 William Street

New York, New York, 10038

212-417-5800

**The National Police Accountability project**

499 Fashion Av, NYC 10018

**Bureau & Unit District Attorney Office in Manhattan**

One Hogan Place, NYC 10013

Uninformed EMS Officers Union, AFSCME  
125 Barclay St Suite 743  
NY NY 10007

**District Attorney/Public Corruption Unit**

Civil Right Division:

Attention Chief Civil Rights Unit

86 Chambers Street 3<sup>rd</sup> Floor, NYC 10007

**Police Accountability Unit**

Attention National Police Accountability Unit

499 Fashion Ave, NYC 10018

**Department of Justice (DOJ)**

United States Department of Justice

950 Pennsylvania Av, NW

Washington, Dc 20530-0001

**District Attorney, Public Corruption Unit**

Civil Division Attention Chief Civil Rights Unit

86 Chambers Street 3<sup>rd</sup> Floor

NYC 10017

**Police Accountability Unit**

Attention: The National Police Accountability

99 Fashion Av, NYC 10018

Office of Internal Affairs

**Office of Internal Affairs**

Attention Deputy Commissioner of Internal Affairs

P.O. Box 10001, NYC 10014

(212)741-8401

EMS Ward.

**BELLEVUE HOSPITAL**

Attention Legal Department @ BELLEVUE HOSPITAL:

462 First Avenue, New York, NY 10016

**Dr. Porter @ Bellevue Hospital**

462 First Avenue, NY 10016

**Jessica Bonnie Poster, MD @Bellevue Hospital**

462 First Ave NYC 10016

**Aiden Rose Shapiro, MD/ED Supervisory @Bellevue Hospital**

462 First Ave, NYC 10016

**Amy A. Costa Social Worker @Bellevue Hospital**

462 First Avenue, NYC 10016

**Marina Rosa Gabaga RN @ Bellevue Hospital**

462 First Av, NYC 10016

**Audia Williams RN @Bellevue Hospital**

462 First Ave, NYC 10016

**William Plowe, MD @ Bellevue Hospital**

462 First Av, NYC 10016

**Shawnmarie Jackson, NP @ Bellevue Hospital**

462 First Ave, NYC 10016

**Marina Dela Rosa Gabaya RN @ Bellevue Hospital**

462 First Ave, NYC10016

**Kyle Pastenac, MD @ Bellevue Hospital**

462 First Av, NYC 10016

**Dawa Lhamo Dadak, RN**

462 First Av, NYC 10016

# Incident Report

## M.T.A. POLICE DEPARTMENT

420 LEXINGTON AVENUE  
SUITE 425  
NEW YORK, NY 10170  
(212) 878-1000

Reported Date  
01/09/2020  
Nature of Call  
AIEDPN  
Officer  
CROCILLA, LEYLAND

Supplement No  
ORIG

**20-595**

### Administrative Information

Agency <b>M.T.A. POLICE DEPARTMENT</b>	Case No <b>20-595</b>	Supplement No <b>ORIG</b>	Reported Date <b>01/09/2020</b>	Reported Time <b>03:33</b>	CAD Call No <b>200090056</b>
Status <b>AIED REMOVED TO HOSPITAL</b>	Nature of Call <b>AIED-EDP-N</b>				
Location <b>W 34TH ST/7TH AV</b>			<b>CITY</b> <b>MANHATTAN</b>	<b>REP DIST</b> <b>MPST02</b>	<b>COUNTY</b> <b>MANHATTAN</b>
Beat <b>NA</b>	From Date <b>01/09/2020</b>	From Time <b>02:41</b>	To Date <b>01/09/2020</b>	To Time <b>02:41</b>	
Officer <b>C86673/CROCILLA, LEYLAND</b>				Assignment <b>PATROL OFFICER</b>	2nd Officer <b>MICHELS, DOUGLAS</b>
Entered by <b>C86673</b>	Assignment <b>PATROL OFFICER</b>	RMS Transfer <b>Successful</b>	Property? <b>None</b>	Transit ID <b>NONE</b>	Org Nature of Call <b>AIEDPN</b>
CTV <b>County of New York</b>	Approving Officer <b>C86614</b>		Approval Date <b>01/11/2020</b>		Approval Time <b>19:38:07</b>

### Person Summary

Invl <b>AID</b>	Invl No <b>1</b>	Type <b>I</b>	Name <b>EL BEY, PRINYAH GODIAH</b>	MNI <b>844508</b>	Race <b>B</b>	Sex <b>F</b>	DOB <b>04/18/1993</b>
Invl <b>EMS</b>	Invl No <b>1</b>	Type <b>G</b>	Name <b>WARD</b>	MNI <b>844509</b>	Race	Sex	DOB
Invl <b>MED</b>	Invl No <b>1</b>	Type <b>I</b>	Name <b>DR PORTER</b>	MNI <b>844510</b>	Race	Sex	DOB
Invl <b>MOS</b>	Invl No <b>1</b>	Type <b>G</b>	Name <b>PO MICHELS</b>	MNI	Race	Sex	DOB
Invl <b>MOS</b>	Invl No <b>2</b>	Type <b>G</b>	Name <b>PO CROCILLA</b>	MNI	Race	Sex	DOB
Invl <b>PSV</b>	Invl No <b>1</b>	Type <b>G</b>	Name <b>SGT VOLLAS</b>	MNI	Race	Sex	DOB
Invl <b>PSV</b>	Invl No <b>2</b>	Type <b>G</b>	Name <b>LT CONA</b>	MNI	Race	Sex	DOB

### Vehicle Summary

Invl <b>AMB</b>	Type <b>O</b>	License No <b>7C</b>	State <b>NY</b>	Lic Year <b>2020</b>	Year <b>2020</b>	Make <b>*AMB</b>	Model	Style	Color
--------------------	------------------	-------------------------	--------------------	-------------------------	---------------------	---------------------	-------	-------	-------

### Summary Narrative

Patrol pick up of a female/EDP in front of the ticket windows. One violent female EDP removed to Bellevue Hospital along with a police escort.

Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>	Page 1 of 3
Supervisor Signature		

**MTA-000007**

# Incident Report

## M.T.A. POLICE DEPARTMENT

20-595

Supplement No  
ORIG**AIDED 1: EL BEY, PRINYAH GODIAH**

Involvement <b>AIDED</b>	Seq <b>1</b>	Type <b>INDIVIDUAL</b>	Name <b>EL BEY, PRINYAH GODIAH</b>	MNI <b>844508</b>	Race <b>BLACK</b>	Sex <b>FEMALE</b>
DOB <b>04/18/1993</b>	Age <b>26</b>	Juvenile? <b>No</b>				
Type <b>HOME ADDRESS</b>	Address <b>40 ANN ST</b>			City <b>NEW YORK</b>		
State <b>NEW YORK</b>	ZIP Code <b>10038</b>					
Type <b>OPERATOR LICENSE/STATE ID CARD</b>			ID No <b>16240839045608</b>			

Employer/School

**NONE****Medical**

Nature of Illness

**VIOLENT EDP**

Treatment

REMOVED TO BELLEVUE HOSPITAL BY FDNY EMS/POLICE ESCORT

**EMPLOYEE-SIRTOA 1: WARD**

Involvement <b>EMPLOYEE-SIRTOA</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>WARD</b>	MNI <b>844509</b>	
Type <b>EMS/FIRE ID NUMBER (SHIELD-ETC)</b>	ID No <b>2396</b>				
Employer/School <b>FDNY</b>	Position/Grade <b>EMT</b>				

**MEDICAL PERSONNEL/DOCTOR 1: DR PORTER**

Involvement <b>MEDICAL PERSONNEL/DOCTOR</b>	Seq <b>1</b>	Type <b>INDIVIDUAL</b>	Name <b>DR PORTER</b>		
MNI <b>844510</b>					
Employer/School <b>BELLEVUE HOSPITAL</b>	Position/Grade <b>DOCTOR</b>				

**MEMBER OF SERVICE-MTA 1: PO MICHELS**

Involvement <b>MEMBER OF SERVICE-MTA</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>PO MICHELS</b>		
Type <b>PD SHIELD</b>	ID No <b>4012</b>				
Employer/School <b>MTA POLICE DEPT</b>	Position/Grade <b>P.O.</b>				

**MEMBER OF SERVICE-MTA 2: PO CROCILLA**

Involvement <b>MEMBER OF SERVICE-MTA</b>	Seq <b>2</b>	Type <b>GOVERNMENT</b>	Name <b>PO CROCILLA</b>		
Type <b>PD SHIELD</b>	ID No <b>2477</b>				
Employer/School <b>MTA POLICE DEPT</b>	Position/Grade <b>P.O.</b>				

**PATROL SUPERVISOR 1: SGT VOLLAS**

Involvement <b>PATROL SUPERVISOR</b>	Seq <b>1</b>	Type <b>GOVERNMENT</b>	Name <b>SGT VOLLAS</b>		
Type <b>PD SHIELD</b>	ID No <b>414</b>				
Employer/School <b>MTA POLICE DEPT</b>	Position/Grade <b>SERGEANT</b>				

**PATROL SUPERVISOR 2: LT CONA**

Involvement <b>PATROL SUPERVISOR</b>	Seq <b>2</b>	Type <b>GOVERNMENT</b>	Name <b>LT CONA</b>		
Type <b>PD SHIELD</b>	ID No <b>63</b>				
Employer/School <b>MTA POLICE DEPT</b>	Position/Grade <b>LIEUTENANT</b>				
Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>			Page 2 of 3	
Supervisor Signature					

MTA-000008

# Incident Report

## M.T.A. POLICE DEPARTMENT

20-595

Supplement No  
ORIG

Involvement <b>AMBULANCE - GENERAL</b>	Type <b>AMBULANCE</b>	License No <b>7C</b>	State <b>NEW YORK</b>	Lic Year <b>2020</b>	Lic Type <b>AMBULANCE</b>	Year <b>2020</b>
Make <b>AMBULANCE - GENERAL</b>						

**Narrative**

On January 9, 2019 at approximately 0241 hours, undersigned officers observed a black female in a wheelchair yelling and screaming for no apparent reason. The female/EDP stated " you white red neck cops are harassing me, I pray to Allah that you get killed with a rifle, I'm gonna come back and kill you fags and I want an ambulance".

Upon escorting the female/EDP up to the 34 Street entrance, the female EDP did pick up a cone and attempt to throw it at undersigned officers. The female EDP did attempt to scratch undersigned officers and did attempt to strike us with both her hands. The female/EDP was rear cuffed and escorted into the ambulance for transport along with all of her property. The female/EDP was lodged at CPEP located at Bellevue Hospital for a psychiatric evaluation.

Report Officer <b>C86673/CROCILLA, LEYLAND</b>	Printed At <b>10/14/2020 11:30</b>	Page 3 of 3
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MTA-000009

9/2/2021

OHCHR | Statement by UN High Commissioner for Human Rights Michelle Bachelet on guilty verdict in George Floyd case

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## **Statement by UN High Commissioner for Human Rights Michelle Bachelet on guilty verdict in George Floyd case**

9/2/2021

OHCHR | Statement by UN High Commissioner for Human Rights Michelle Bachelet on guilty verdict in George Floyd case

Geneva, 21 April 2021

"This is a momentous verdict. It is also a testament to the courage and perseverance of George Floyd's family and many others in calling for justice. As the jury recognised, the evidence in this case was crystal clear. Any other result would have been a travesty of justice.

But for countless other victims of African descent and their families, in the United States and throughout the world, the fight for justice goes on. The battle to get cases of excessive force or killings by police before the courts, let alone win them, is far from over.

Impunity for crimes and human rights violations by law enforcement officers must end, and we need to see robust measures to prevent further arbitrary killings. As we have painfully witnessed in recent days and weeks, reforms to policing departments across the US continue to be insufficient to stop people of African descent from being killed. It is time to move on from talk of reform to truly rethinking policing as currently practised in the US and elsewhere.

This case has also helped reveal, perhaps more clearly than ever before, how much remains to be done to reverse the tide of systemic racism that permeates the lives of people of African descent. We need to move to whole-of-government and whole-of-society approaches that dismantle systemic racism.

I recognize that in the US important steps are being put in place with that end in mind. These efforts must accelerate and expand, and must not be diluted when the public focus moves elsewhere.

Now is also the time to critically examine the context in which George Floyd's killing took place by revisiting the past, and examining its toxic traces in today's society. The redesign of our future can only be through the full and equal participation of people of African descent, and in ways which transform their interactions with law enforcement, and, more broadly, in all aspects of their lives.

The entrenched legacy of discriminatory policies and systems, including the legacies of enslavement and transatlantic trade and the impact of colonialism, must be decisively uprooted in order to achieve racial justice and equality. If they are not, the verdict in this case will just be a passing moment when the stars aligned for justice, rather than a true turning point."

ENDS

*The High Commissioner will present a report in June 2021, pursuant to UN Human Rights Council resolution 43/1, that will include an agenda for transformative change to dismantle systemic racism and police brutality against Africans and people of African descent, and to advance accountability and redress for victims. Resolution 43/1 was adopted by the Human Rights Council in June 2020 following the killing of George Floyd.*

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A/HRC/43/L.50



# General Assembly

Distr.: Limited  
17 June 2020

Original: English

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## Human Rights Council

### Forty-third session

24 February–20 March 2020

Agenda item 1

Organizational and procedural matters

Burkina Faso,\* Iran (Islamic Republic of)\*\* and State of Palestine\*\*: draft resolution

**43/... The promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against police brutality and other violations of human rights**

*The Human Rights Council,*

*Reaffirming* the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights, which promote and encourage respect for human rights and fundamental freedoms,

*Recalling* the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and bearing in mind the Vienna Declaration and Programme of Action,

*Recalling also* its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action, and the International Decade for People of African Descent as proclaimed by the General Assembly in its resolution 68/237 of 23 December 2013,

*Recalling further* the General Assembly resolutions in this regard, in particular Assembly resolution 73/262 of 22 December 2018, and the imperative need for their full and effective implementation,

*Alarmed* at the resurgence of violence, racial hatred, hate speech, hate crimes, neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial or national prejudice, including the resurgence of racial superiority ideologies that incite hatred and violence against Africans and people of African descent,

*Recalling* its resolution 7/34 of 28 March 2008, and all subsequent resolutions on the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including those of the Commission on Human Rights,

---

\* On behalf of the States Members of the United Nations that are members of the Group of African States.

\*\* State not a member of the Human Rights Council.



A/HRC/43/L.50

*Taking note* of the historic resolution on racial discrimination in the United States of America adopted at the first ordinary session of the Assembly of African Heads of State and Government of the Organization of African Unity, held in Cairo from 17 to 24 July 1964, and the statement made by the Chairperson of the African Union Commission following the murder of George Floyd in the United States of America on 29 May 2020,

*Recalling* the statement made by the Inter-American Commission on Human Rights on 8 June 2020 expressing its strong condemnation of the murder of George Floyd and repudiating structural racism, the systemic violence against Afro-Americans, impunity and the disproportionate use of police force,

*Recalling also* the Universal Declaration of Human Rights, which states that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour or national origin,

*Recognizing* the critical role played by law enforcement personnel in realizing a safer world, and stressing the essential need to build trust with the public they serve,

*Encouraging* States to look into their manuals and guidelines used for training law enforcement personnel with a view to identifying the proportionality of measures in the handling of suspects and other persons in custody,

*Reaffirming* the importance of the Durban Declaration and Programme of Action in advancing racial equality, ensuring equal opportunities for all, guaranteeing equality before the law and promoting social, economic and political inclusion without distinctions based on race, age, sex, disability, descent, national or ethnic origin, religion or economic or other status,

*Welcoming* all statements made by the special procedures regarding the killing of George Floyd, and in particular their joint statement of 5 June 2020, and the statement made by the United Nations High Commissioner for Human Rights on 3 June 2020,

1. *Strongly condemns* the continuing racially discriminatory and violent practices perpetrated by law enforcement agencies against Africans and people of African descent, and the structural racism endemic to the criminal justice system in the United States of America and other parts of the world recently affected;

2. *Expresses alarm* at the recent incidents of police brutality against peaceful demonstrators defending the rights of Africans and of people of African descent;

3. *Decides* to establish an independent international commission of inquiry, to be appointed by the President of the Human Rights Council, to establish the facts and circumstances relating to the systemic racism, alleged violations of international human rights law and abuses against Africans and people of African descent in the United States of America and other parts of the world recently affected by law enforcement agencies, especially those incidents that resulted in the deaths of Africans and of people of African descent, with a view to bringing perpetrators to justice;

4. *Requests* the commission of inquiry to examine federal, state and local government responses to peaceful protests, including the alleged use of excessive force against protesters, bystanders and journalists;

5. *Calls upon* the Government of the United States of America and other parts of the world recently affected, and all relevant parties to cooperate fully with the commission of inquiry, and to facilitate its access, requests the cooperation of other relevant United Nations bodies with the commission of inquiry to carry out its mission, and requests the assistance of the United Nations High Commissioner for Human Rights in this regard, including in the provision of all administrative, technical and logistical assistance required to enable the commission of inquiry to fulfil its mandate promptly and efficiently;

6. *Requests* the commission of inquiry to provide an oral update to the Human Rights Council at its forty-fifth and forty-sixth sessions, and to present a final report to the Council at its forty-seventh session;

7. *Also requests* the commission of inquiry to remain seized of the situation of Africans and people of African descent, and to bring cases of racial discrimination and violence against them to the attention of the Human Rights Council;

8. *Requests* the High Commissioner to include updates on police brutality against Africans and people of African descent in the United States of America and other parts of the world recently affected in all future oral updates to the Council.

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Court of Justice of the European Union (CJEU) | European Union



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EUROPA About the EU Institutions and bodies Court of Justice of the European Union (CJEU)

## Court of Justice of the European Union (CJEU)

### Overview

**Role:** Ensuring EU law is interpreted and applied the same in every EU country; ensuring countries and EU institutions abide by EU law.

**Members:**

- Court of Justice: 1 judge from each EU country, plus 11 advocates general
- General Court: 2 judges from each EU country

**Established in:** 1952

**Location:** Luxembourg

**Website:** [Court of Justice of the European Union \(CJEU\)](#)

The Court of Justice of the European Union (CJEU) interprets EU law to make sure it is **applied in the same way** in all EU countries, and settles **legal disputes** between national governments and EU institutions.

It can also, in certain circumstances, be used by **individuals, companies or organisations** to take action against an EU institution, if they feel it has somehow infringed their rights.

### What does the CJEU do?

The CJEU gives rulings on cases brought before it. The most common types of case are:

- **interpreting the law** (preliminary rulings) – national courts of EU countries are required to ensure EU law is properly applied, but courts in different countries might interpret it differently. If a national court is in doubt about the interpretation or validity of an EU law, it can ask the Court for clarification. The same mechanism can be used to determine whether a national law or practice is compatible with EU law.
- **enforcing the law** (infringement proceedings) – this type of case is taken against a national government for failing to comply with EU law. Can be started by the European Commission or another EU country. If the country is found to be at fault, it must put things right at once, or risk a second case being brought, which may result in a fine.
- **annulling EU legal acts** (actions for annulment) – if an EU act is believed to violate EU treaties or fundamental rights, the Court can be asked to annul it – by an EU government, the Council of the EU, the European Commission or (in some cases) the European Parliament. Private individuals can also ask the Court to annul an EU act that directly concerns them.
- **ensuring the EU takes action** (actions for failure to act) – the Parliament, Council and Commission must make certain decisions under certain circumstances. If they don't, EU governments, other EU institutions or (under certain conditions) individuals or companies can complain to the Court.
- **sanctioning EU institutions** (actions for damages) – any person or company who has had their interests harmed as a result of the action or inaction of the EU or its staff can take action against them through the Court.

### Composition

The CJEU is divided into **2 courts**:

- Court of Justice – deals with requests for preliminary rulings from national courts, certain actions for annulment and appeals.

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Court of Justice of the European Union (CJEU) | European Union

- **General Court** – rules on actions for annulment brought by individuals, companies and, in some cases, EU governments. In practice, this means that this court deals mainly with competition law, State aid, trade, agriculture, trade marks.

Each **judge and advocate general** is appointed for a renewable 6-year term, jointly by national governments. In each Court, the judges select a **President** who serves a renewable term of 3 years.

## How does the CJEU work?

In the Court of Justice, each case is assigned 1 judge (the "judge-rapporteur") and 1 advocate general. Cases are processed in **2 stages**:

- **Written stage**
  - The parties give written statements to the Court - and observations can also be submitted by national authorities, EU institutions and sometimes private individuals.
  - All of this is summarised by the judge-rapporteur and then discussed at the Court's general meeting, which decides:
    - How many judges will deal with the case: 3, 5 or 15 judges (the whole Court), depending on the importance and complexity of the case. Most cases are dealt with by 5 judges, and it is very rare for the whole Court to hear the case.
    - Whether a hearing (oral stage) needs to be held and whether an official opinion from the advocate general is necessary.
- **Oral stage – a public hearing**
  - Lawyers from both sides can put their case to the judges and advocate general, who can question them.
  - If the Court has decided an Opinion of the advocate general is necessary, this is given some weeks after the hearing.
  - The judges then deliberate and give their verdict.
- **General Court procedure** is similar, except that most cases are heard by 3 judges and there are no advocates general.

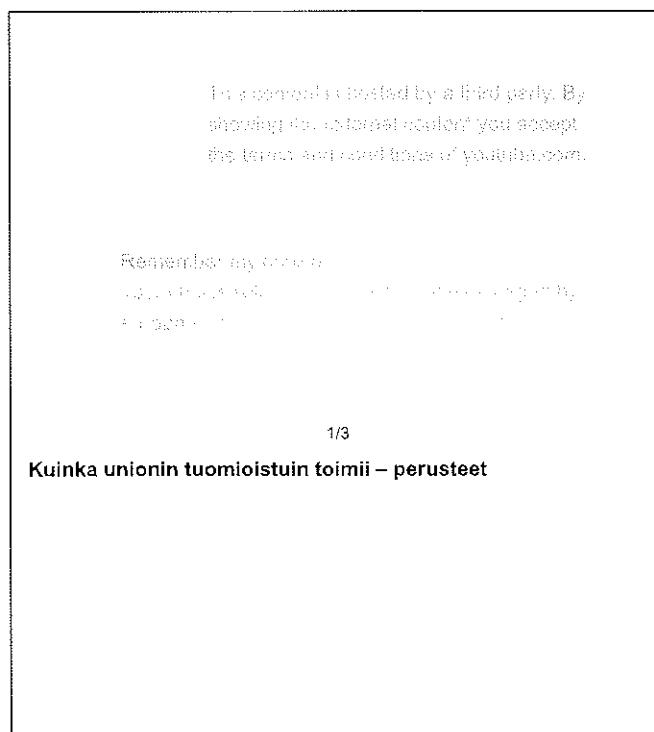
## The CJEU and you

If you – as a private individual or as a company – have suffered damage as a result of **action or inaction by an EU institution** or its staff, you can take action against them in the Court, in one of 2 ways:

- indirectly through **national courts** (which may decide to refer the case to the Court of Justice)
- directly before the **General Court** – if a decision by an EU institution has affected you directly and individually.

If you feel that the **authorities** in any country have **infringed EU law**, you must follow the [official complaints procedure](#).

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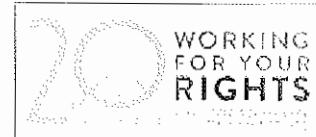
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## OHCHR – South America Regional Office

### Profile

Established in 2009, the Regional Office for South America (ROSA) is working with State institutions, civil society organizations, regional and international organizations and the UN in order to strengthen their capacities in promoting and protecting all human rights. The Office currently establishes work agreements with governments and other entities for the new planning period 2018-21 in seven countries, on technical assistance in legislation and policies, as well as training and capacity building in all thematic areas.

The Office deployed national Human Rights Advisors to support the UN Resident Coordinators in all countries.

<b>Type of engagement</b>	Regional Office
<b>Year established</b>	2009
<b>Field offices</b>	Santiago de Chile (covering Argentina, Brazil, Chile, Ecuador, Paraguay, Peru, and Uruguay)
<b>Number of staff</b>	24
<b>Annual budget needs</b>	US\$ 2,147,000

### Achievements

- The Regional Office is increasingly being considered as a key reference, providing technical assistance on the inclusion of human rights standards in laws and policies to varied decision makers such as parliaments, governments and other public institutions (the judiciary, public prosecutors, public defense offices, NHRIs, NMPs), on a broad range of issues – e.g., indigenous people's rights, people deprived of freedom, use of force, rights of migrants, freedom of assembly and freedom of expression, and the human rights implications of the COVID-19 pandemic, among others.
- The Office has been developing more systematic monitoring activities on issues such as police violence, in the context of protests and social conflicts as well as in the context of enforcement of restrictions related to COVID-19; attacks on human rights defenders; and the situation of people on the move.
- The Office has strengthened the relationship between the international human rights mechanisms and States as well as civil society. Capacity-building efforts dedicated to international standards have focused on different target groups – the judiciary (Ecuador), public defense offices and legislators (Uruguay, Chile), but also on human rights defenders and observers (Chile).
- The Office has emphasized its support to human rights defenders in varied contexts (protests, defense of land and territory, etc.). Highlights included the organization of a Regional Forum focused on the particular situation of

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### Headquarters

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environmental human rights defenders, their protection challenges and best practices.

- The Office has a leading role in promoting the business and human rights agenda in the subregion. After the 2020 Regional Forum on Business and Human Rights, the largest annual meeting in LAC on the subject, regional ownership was developed and support for national action plans (NAP) and policies on the matter was strengthened in Argentina, Brazil, Chile (first NAP was evaluated and the process for its update was launched), Peru (first NAP still being developed) and Ecuador (process for its first NAP was launched).
- In the COVID-19 context, the Office pioneered a regional engagement of National Preventive Mechanisms in their response to the pandemic and built effective networks with experts on the rights of persons deprived of their liberty. The Office elaborated a document to promote the use of international human rights standards by different institutions to reduce overcrowding in prisons during the pandemic, aiming at the release of some groups of detainees, particularly on the basis of their vulnerability (e.g., support to law and policy changes in Peru, Argentina and Brazil). The Office also engaged with relevant institutions in all countries on the full inclusion of indigenous people in the health and humanitarian response during the pandemic as well in the recovery plans.

## Partners and Donors

**Partners:** RCs and UN Country Teams in seven countries, Inter American System of Human Rights, Governments, Parliaments and Judiciary, national human rights institutions, numerous civil society organizations and universities.

**Donors:** Spain, UPR Trust Fund, Multi-Donor Trust Fund (MDTF).

## UN Human Rights Focus Areas

### Thematic pillars

- **Mechanisms:** Increasing implementation of the international human rights mechanisms outcomes
- **Development:** Integrating human rights in sustainable development
- **Accountability:** Strengthening rule of law and accountability for human rights violations
- **Non-discrimination:** Enhancing equality and countering discrimination
- **Participation:** Enhancing & protecting civic space & people's participation

### Shifts

- **Prevention**
- **Civic space**
- **Corruption**
- **Inequalities**

### Spotlight populations

- **Indigenous populations**
- **Human Rights Defenders**
- **Young people participating in protests**
- **Persons deprived of freedom**
- **Persons with disabilities**
- **People of the move**
- **Women**
- **Afro-descendants**
- **LGBTI persons**

OHCHR Country offices in Americas

Colombia  
Guatemala  
Honduras  
Mexico

### External Links

Inter-American Commission on Human Rights

Inter-American Court of Human Rights

Global Alliance of National Human Rights Institutions

*Note: OHCHR is not responsible for the content of external links.*

OHCHR in the UN

Regional Offices

Country Offices

Human Rights Components of Peace Missions

Human Rights Advisors

Technical Cooperation Programme

National Human Rights Institutions

Last reviewed: December 2020

9/2/2021

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OHCHR on Social Media	2021-07-08	<a href="#">Contact Us</a>
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English version	2021-07-08	<a href="#">Contact Us</a>

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## WHAT ARE HUMAN RIGHTS?

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**OHCHR in the World: making human rights a reality on the ground**

Over the years, the Office of the High Commissioner for Human Rights (UN Human Rights) has increased its presence in the field, reaching out more and more and giving a voice to the people who need it the most. The Office's presences away from Headquarters are a strategic entry point for promoting and protecting human rights at the country level; mainstreaming human rights, that is, integrating a human rights perspective into the work of United Nations Country Teams and United Nations peace missions; and helping strengthen national institutions and civil society.

There are a number of ways in which UN Human Rights field presences assist in efforts to make human rights a reality; not only do they monitor the human rights situation in countries, but they also help build the capacity of Member States and other duty-bearers to address human rights issues. The following are UN Human Rights field presences:

Africa region	Middle East and North Africa region	Asia Pacific region	Europe and Central Asia region	Americas region
Regional Offices				
• East Africa	• Middle East and North Africa	• Pacific	• Central Asia	• Central America
• Southern Africa		• South-East Asia	• Europe	• South America
• West Africa				
• Central Africa				
Regional HR Centres				
<ul style="list-style-type: none"> <li>• Centre for South-West Asia and the Arab Region</li> </ul>				
Country/Stand-alone Offices				
• Chad	• State of Palestine*	• Cambodia	• Colombia	• Europe and Central Asia Section
• Guinea		• OHCHR (Seoul)	• Guatemala	Email: <a href="mailto:ecasection@ohchr.org">ecasection@ohchr.org</a>
• Liberia	• Syria		• Honduras	
• Mauritania	• Tunisia		• Mexico	
• Niger	• Yemen			
• Sudan				
• Uganda				

## Human Rights Components of Peace Missions

• Central African Republic	• Iraq	• Afghanistan	• Kosovo**	• Haiti
• Democratic Republic of the Congo	• Libya			

[OHCHR Field presences](#)[Regional offices](#)[Country offices](#)[Human Rights Advisors](#)[Human rights components of UN missions](#)[Country specific technical support](#)[OHCHR and NHRIs](#)[Technical Cooperation Programme](#)[Contact Information](#)[Field Operations and Technical Cooperation Division \(FOTCD\)](#)

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[National Institutions and Regional Mechanisms Section](#)

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- Guinea Bissau
- Mali
- Somalia
- South Sudan
- Sudan

*Coordinator Voluntary  
Fund for Technical Co-  
operation*  
Tel. +41 22 928 9287

*Excerpted from*

**United Nations  
Peacekeeping**

<ul style="list-style-type: none"> <li>• Burkina Faso</li> <li>• Burundi</li> <li>• Guinea-Bissau</li> <li>• Kenya</li> <li>• Lesotho</li> <li>• Madagascar</li> <li>• Malawi</li> <li>• Niger</li> <li>• Nigeria</li> <li>• Rwanda</li> <li>• Zimbabwe</li> </ul>	<ul style="list-style-type: none"> <li>• Jordan</li> <li>• Saudi Arabia</li> <li>• Bangladesh</li> <li>• Malaysia</li> <li>• Maldives</li> <li>• Mongolia</li> <li>• Nepal</li> <li>• Papua New Guinea</li> <li>• Philippines</li> <li>• Sri Lanka</li> <li>• Timor Leste</li> </ul>	<ul style="list-style-type: none"> <li>• Belarus</li> <li>• Bosnia and Herzegovina</li> <li>• Montenegro</li> <li>• Republic of Moldova</li> <li>• Republic of North Macedonia</li> <li>• Serbia</li> <li>• South Caucasus</li> </ul>	<ul style="list-style-type: none"> <li>• Argentina</li> <li>• Barbados</li> <li>• Belize</li> <li>• Bolivia</li> <li>• Brazil</li> <li>• Costa Rica</li> <li>• Dominican Republic</li> <li>• Ecuador</li> <li>• El Salvador</li> <li>• Guyana</li> <li>• Jamaica</li> <li>• Paraguay</li> <li>• Peru</li> <li>• Trinidad and Tobago</li> <li>• Uruguay</li> </ul>
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**UN Department of  
Political and  
Peacekeeping Affairs**

\* Reference to the State of Palestine should be understood in compliance with UNGA resolution 67/19.

\*\* Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.

## 18 Country/Stand-alone Offices



In establishing country offices and stand-alone offices, UN Human Rights negotiates with the host government a full mandate that includes both human rights protection and promotion. In 2020, UN Human Rights had offices in Mexico, Guatemala, Honduras, Colombia, Syria, State of Palestine, Tunisia, Yemen, Ukraine, Chad, Guinea, Niger, Liberia, Sudan, Uganda, Mauritania, OHCHR Structure in Seoul, Cambodia.

Activities by country offices include monitoring, public reporting, provision of technical assistance, and the monitoring and development of long-term national capacities to address human rights issues.

## 12 Human Rights Components in UN Peace Missions

The Office is the lead United Nations entity for the protection and promotion of human rights, but all UN actors have a role to play in protecting and promoting human rights in their operations. In this respect, UN Human Rights seeks to integrate human rights in all components of UN peace missions.



In 2020, UN Human Rights supported nearly 900 international and national human rights officers and support staff in 12 Human Rights Components of UN peace missions in Afghanistan, Central African Republic, the Democratic Republic of the Congo, Guinea Bissau, Haiti, Iraq, Kosovo, Libya, Mali, Somalia, South Sudan and Sudan.

## 12 Regional Offices and Centres

In 2020, UN Human Rights had 12 regional offices covering East Africa (Addis Ababa), Southern Africa (Pretoria), West Africa (Dakar) Central America (Panama City), South America (Santiago de Chile), Europe (Brussels), Central Asia (Bishkek), South East Asia (Bangkok), Pacific (Suva) and the Middle East and North Africa (Beirut).

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UN Human Rights also has a Regional Centre for Human Rights and Democracy for Central Africa in Cameroon (Yaoundé) and a Training and Documentation Centre for South-West Asia and the Arab Region in Qatar (Doha).

Regional offices have a crucial role to play in promoting and protecting human rights in countries of their region, including by working with regional bodies, such as the African Union.

## 44 Human Rights Advisers

Human Rights Advisers are experts deployed by the office to the field to support UN Country Teams following the request of UN Resident Coordinators. They follow up and analyze the human rights situation in the country in which they serve and advise the UN Resident Coordinator and the UN Country Team as a whole on strategies to build or strengthen nations' capacities and institutions in promoting and protecting human rights. They also engage with national actors (governments and civil society) on how to best promote and implement human rights standards. In 2020, OHCHR had 44 Advisers in the Dominican Republic, Belize, El Salvador, Jamaica, Costa Rica, Barbados, Ecuador, Trinidad and Tobago, Guyana, Peru, Bolivia, Paraguay, Brazil, Uruguay, Argentina, Jordan, Saudi Arabia, Guinea-Bissau, Burkina Faso, Niger, Nigeria, Lesotho, Zimbabwe, Burundi, Malawi, Rwanda, Madagascar, Kenya, Maldives, Sri Lanka, Nepal, Bangladesh, Timor-Leste, Papua New Guinea, Malaysia, Philippines, Mongolia, South Caucasus, Republic of North Macedonia, Republic of Moldova, Serbia, Belarus, Montenegro and Bosnia Herzegovina.

## Rapid response to emerging human rights Crises

A Rapid Response Unit supports the work of UN Human Rights by swiftly deploying personnel to the field. The Unit manages an internal roster of staff who can be rapidly deployed in human rights and humanitarian emergencies, and can provide surge capacity to UN Human Rights field offices. At the request of Member States, UN Human Rights often conducts or supports fact-finding missions and commissions of inquiry that investigate serious allegations of human rights violations and abuses.

The Rapid Response Unit has, in recent times, conducted or coordinated the establishment of fact-finding missions or commissions of inquiry mandated by the Human Rights Council on the Occupied Palestinian Territories, Democratic Republic of the Congo (DRC) on the events in the Kasai regions, South Sudan, Burundi and Myanmar; as well as the Commission of Inquiry on Mali mandated by the Secretary-General.

The Rapid Response Unit manages the Contingency Fund that was established to implement the priorities and strategies of the High Commissioner to respond to human rights emergencies by deploying human rights personnel and providing logistical support.

In 2020, UN Human Rights used its Contingency Fund to deploy staff to the following countries or regions: Angola to monitor the human rights violations committed in Kasai, DRC; Bangladesh, to monitor the human rights violations against the Rohingya in Myanmar, Yangon and the Rakhine State; Qatar to gather information on the impact of the Gulf crisis; Guatemala to assist the country office in monitoring the crisis in the child welfare system; Honduras to assist the country office in monitoring the aftermath of the post-election crisis; Mauritania to strengthen human rights expertise in the humanitarian context; and the remote monitoring of the human rights situation in Venezuela.

In 2020, staff was deployed to monitor the deteriorating human rights situation in Nicaragua and Ecuador; and in Cox's Bazar, Bangladesh, to provide human rights advice to the humanitarian organisations that assist the Rohingya refugees.

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<a href="#">Mobile App</a>		

General Recommendation No. 23: Indigenous Peoples : . 18.08.1997.

Gen. Rec. No. 23. (General Comments)

Convention Abbreviation: CERD

General Recommendation XXIII

Indigenous Peoples

(Fifty-first session, 1997) \*

1. In the practice of the Committee on the Elimination of Racial Discrimination, in particular in the examination of reports of States parties under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, the situation of indigenous peoples has always been a matter of close attention and concern. In this respect, the Committee has consistently affirmed that discrimination against indigenous peoples falls under the scope of the Convention and that all appropriate means must be taken to combat and eliminate such discrimination.

2. The Committee, noting that the General Assembly proclaimed the International Decade of the World's Indigenous Peoples commencing on 10 December 1994, reaffirms that the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination apply to indigenous peoples.

3. The Committee is conscious of the fact that in many regions of the world indigenous peoples have been, and are still being, discriminated against and deprived of their human rights and fundamental freedoms and in particular that they have lost their land and resources to colonists, commercial companies and State enterprises. Consequently, the preservation of their culture and their historical identity has been and still is jeopardized.

4. The Committee calls in particular upon States parties to:

(a) Recognize and respect indigenous distinct culture, history, language and way of life as an enrichment of the State's cultural identity and to promote its preservation;

(b) Ensure that members of indigenous peoples are free and equal in dignity and rights and free from any discrimination, in particular that based on indigenous origin or identity;

(c) Provide indigenous peoples with conditions allowing for a sustainable economic and social development compatible with their cultural characteristics;

- (d) Ensure that members of indigenous peoples have equal rights in respect of effective participation in public life and that no decisions directly relating to their rights and interests are taken without their informed consent;
- (e) Ensure that indigenous communities can exercise their rights to practise and revitalize their cultural traditions and customs and to preserve and to practise their languages.

5. The Committee especially calls upon States parties to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to just, fair and prompt compensation. Such compensation should as far as possible take the form of lands and territories.

6. The Committee further calls upon States parties with indigenous peoples in their territories to include in their periodic reports full information on the situation of such peoples, taking into account all relevant provisions of the Convention.

\* Contained in document A/52/18, annex V.

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Permanent Council of the OAS / Committee on Political and Juridical Affairs

### Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples

#### Documents:

- Compendium of proposals
- Record of the current status of the Draft American Declaration
  
- 1997
- 1999
- 2000
- 2001
- 2002
- 2003
- 2004
- 2005
- 2006
- 2007
- 2008
- 2009
- 2010
- 2011
- 2012
- 2013
- 2015

#### Compendium of proposals

Compendium of proposals of the ninth meetings of negotiations (As of January 26, 2007) GT/DADIN/doc.255/06 rev. 2

- Compendium of proposals of the Tenth Meeting of Negotiations in the Quest for Points of Consensus (As of April 27, 2007) GT/DADIN/doc.255/06 add. 1 rev. 2
  
- Compendium of proposals of the Eleventh Meeting of Negotiations in the Quest for Points of Consensus (As of April 18, 2008) GT/DADIN/doc.255/06 add. 2 rev. 3 corr. 1
  
- Compendium of Proposals of the Twelfth Meetings of Negotiations in the Quest for points of Consensus held by the Working Group (As of November 30, 2009) GT/DADIN/doc.255/06 add. 3
  
- Compendium of Proposals of the Twelfth Meetings of Negotiations in the Quest for points of Consensus held by the Working Group (As of November 30, 2009) GT/DADIN/doc.255/06 add. 4
  
- Compendium of Proposals of the Fourteenth Meetings of Negotiations in the Quest for points of Consensus held by the Working Group (As of April 2012) GT/DADIN/doc.255/06 add. 5

#### Record of the current status of the Draft American Declaration

Record of the current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the fourteenth Meetings of Negotiations in the Quest for Points of Consensus) GT/DADIN/doc. 334/08 rev. 7

Record of the current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Thirteenth Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) GT/DADIN/doc. 334/08 rev. 6 corr. 1

Record of the current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Twelfth Meetings of Negotiations in the Quest for Points of Consensus) GT/DADIN/doc.334/08 rev. 5

Record of the current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Eleventh Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) GT/DADIN/doc.334/08 rev. 4

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## Permanent Council of the OAS / Committee on Political and Juridical Affairs

Record of the Current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Ten Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) [Updated upon the conclusion of the Tenth Meeting of Negotiations] GT/DADIN/doc.301/07 rev.1

Record of the current status of the draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Ninth Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) GT/DADIN/doc.283/07 corr. 1

Record of the current status of the draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Eight Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) GT/DADIN/doc.278/06 corr. 1

Record of the current status of the Draft American Declaration on the Rights of Indigenous Peoples (Outcomes of the Seven Meetings of Negotiations in the Quest for Points of Consensus, held by the Working Group) [As of March 25, 2006] GT/DADIN/doc.260/06 rev. 1

**1997**

Note from the Executive Secretary of the Inter-American Commission on Human Rights on the "Proposed American Declaration on the Rights of Indigenous Peoples"- CP/doc. 2878/07 corr. 1

**1999**

Proposed American Declaration on the Rights of Indigenous Populations - GT/DADIN/doc.1/99 rev. 2

Report of the Chair of the Working Group to Prepare the Proposed American Declaration on the Rights of Indigenous Populations - GT/DADIN/doc.5/99

**2000**

Draft work plan 2000/2001 - GT/DADIN/doc.6/00 rev. 6

**2001**

Working document comparing the proposed American Declaration on the Rights of Indigenous People (Approved by the Inter-American Commission on Human Rights in March 1997) and the proposals made by States and Indigenous Representatives at OAS Meetings in 1999 - GT/DADIN/doc.9/01

Special Meeting of the Working Group (April 2-6, 2001) - GT/DADIN/doc.14/01

Report of the Working Group - GT/DADIN/doc.15/01 rev. 2

Draft resolution - American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc.24/01 rev. 1

Calendar 2001-2002 - Approved at the regular meeting held on October 23, 2001 and revised at the meeting held on October 31, 2001) GT/DADIN/doc.29/01 rev. 1

Schedule of meetings - First stage (October 31-December 12, 2001) GT/DADIN/doc.30/01 rev. 1

Section II - Human Rights - Working document comparing the proposed American Declaration on the Rights of Indigenous Peoples and the proposals made by indigenous representatives GT/DADIN/doc.32/01

Section II - Human Rights - Working document comparing the proposed American Declaration on the Rights of Indigenous Peoples and the proposals made by States GT/DADIN/doc.33/01

Declaration of Machu Picchu on Democracy the Rights of Indigenous Peoples and the Fight Against Poverty (Document presented by the Chair of the Group) GT/DADIN/doc.34/01

Section III - Cultural Development - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and proposals made by indigenous representatives GT/DADIN/doc.36/01

Section III - Cultural Development - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by States GT/DADIN/doc.37/01

Section IV - Organizational and Political Rights - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and proposals made by indigenous representatives GT/DADIN/doc.38/01

Section IV - Organizational and Political Rights - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by States GT/DADIN/doc.39/01

Section V - Social, Economic, and Property Rights - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by indigenous representatives GT/DADIN/doc.41/01

Section V - Social, Economic, and Property Rights - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by the States GT/DADIN/doc.42/01

Section VI - General Provisions - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by indigenous representatives GT/DADIN/doc.43/01

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Permanent Council of the OAS / Committee on Political and Juridical Affairs

Section VI - General Provisions - Working document comparing the original text of the Draft American Declaration on the Rights of Indigenous Peoples and the proposals made by the States GT/DADIN/doc.44/01

Section I - Definitions - Working document comparing the original proposed American Declaration on the Rights of Indigenous Peoples and proposals by States GT/DADIN/doc.49/01

Section I - Definitions - Working document comparing the original proposed American Declaration on the Rights of Indigenous Peoples and proposals made by indigenous representatives GT/DADIN/doc.50/01

Working document comparing the proposed American Declaration on the Rights of Indigenous Peoples (approved by the IACHR in March 1997) and the proposals made by States and indigenous representatives at OAS meetings in 1999 GT/DADIN/doc.51/01

**2002**

resolution adopted by the Permanent Council on "Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples" CP/RES.817 (1319/02)

Draft resolution on the permanent fund of the Organization of American States comprising voluntary contributions for the indigenous peoples GT/DADIN/doc.59/02 rev. 3

United States remarks on lands and territories GT/DADIN/doc.79/02

Draft resolution: American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc.80/02 rev. 1

Report of the Chair GT/DADIN/doc.82/02

Meeting of the Working Group on Chapter V of the proposed Declaration with special focus on "Traditional forms of ownership and cultural survival, rights to land and territories" GT/DADIN/doc.89/02

Draft agenda - Meeting of the Working Group on the Fifth Section of the Draft Declaration with special emphasis on "Traditional forms of ownership and cultural survival. Rights to land and territories" GT/DADIN/doc.90/02 rev. 2

Draft schedule for the Working Group GT/DADIN/doc.91/02 rev. 2

Presentation by Robert T. Coulter (Meeting of the Working Group on the Fifth Section of the Draft Declaration with special emphasis on "Traditional forms of ownership and cultural survival. Rights to land and territories") GT/DADIN/doc.97/02

Presentation by Robert T. Coulter (Meeting of the Working Group on the Fifth Section of the Draft Declaration with special emphasis on "Traditional forms of ownership and cultural survival. Rights to land and territories") GT/DADIN/doc.97/02-a

Presentation by Tim Vollmann ( Meeting of the Working Group on the Fifth Section of the Draft Declaration with special emphasis on "Traditional forms of ownership and cultural survival. Rights to land and territories") GT/DADIN/doc.98/02

Statement by the Delegation of Colombia to the meeting of the working group held on October 31, 2002 GT/DADIN/doc.99/02

Presentation by Anne Deruyttere at the Meeting of the Working Group on the Fifth Section of the Draft Declaration, with special emphasis on "Traditional Forms of Ownership and Cultural Survival: The rights to land and territories" GT/DADIN/doc.102/02-a

Presentation by Anne Deruyttere at the Meeting of the Working Group on the Fifth Section of the Draft Declaration, with special emphasis on "Traditional Forms of Ownership and Cultural Survival: The rights to land and territories" GT/DADIN/doc.102/02-b

Presentation by Dr. Julio Prado Vallejo, Special Rapporteur on Indigenous Peoples of the Inter-American Commission on Human Rights in the process of preparing the draft declaration (operative paragraph 7 of resolution AG/RES. 1851 (XXXII-O/02) GT/DADIN/doc.103/02

Presentation by W. Thomas Molloy ( Meeting of the Working Group on the Fifth Section of the Draft Declaration with special emphasis on "Traditional forms of ownership and cultural survival. Rights to land and territories") GT/DADIN/doc. 108/02

**2003**

Report of the Rapporteur of the Meeting on the Fifth Section of the Draft Declarations with special emphasis on "Traditional forms of ownership and cultural survival, right to land and territories" GT/DADIN/doc.113/03 rev. 1

Draft resolution: American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc-134/03 rev. 3

Report of the Chair GT/DADIN/doc-136/03 rev. 2

Consolidated text of the draft declaration prepared by the Chair of the Working Group GT/DADIN/doc.139/03

Proposal on the participation of the representatives of indigenous peoples in the initial meeting of negotiations in the quest for points of consensus (Document presented by the Chair of the Working Group) GT/DADIN/doc.140/03 rev. 1

Schedule of activities of the Working Group for 2004 GT/DADIN/doc.141/03 rev. 1 corr. 1

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Permanent Council of the OAS / Committee on Political and Juridical Affairs

Draft agenda Initial Meeting of Negotiations in the Quest for Points of Consensus GT/DADIN/doc.144/03

Proposals regarding the Draft American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc.146/03 corr. 1

Communiqué of the Selection Board of the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc. 149/03

## 2004

Financial statement of the Specific Fund to support the elaboration of the American Declaration on the Rights of Indigenous Peoples (Report presented by the Summits of the Americas Secretariat) GT/DADIN/doc. 165/04

Draft resolution: Declaration on the Rights of Indigenous Peoples GT/DADIN/doc.171/04 rev. 4

Third meeting of negotiations in the quest for points of consensus (Padilha Vidal Room – April 28 to 30, 2004) GT/DADIN/doc.175/04 rev.1 corr.1

Financial statement of the specific fund to support the elaboration of the American declaration on the rights of indigenous peoples (Report presented by the Summits of the Americas Secretariat at the May 3, 2004, meeting of the Working Group) GT/DADIN/doc.179/04

Report of the Chair working group activities, 2003-2004 GT/DADIN/doc.180/04

Schedule of activities of the Working Group for the 2004-2005 term GT/DADIN/doc.181/04 rev. 2

Draft resolution: Amendments to the resolution establishing the Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples (Proposed by the Chair) GT/DADIN/doc.186/04 rev. 2

- Note from the Office for the Summit Process on Specific Fund operating costs relating to the participation of representatives of indigenous peoples - add. 1

Background document for preliminary consultations by the Chair aimed at finding a possible date for conclusion of the final stage of negotiations for adoption of the Draft Declaration - Proposal by the Chair [Pursuant to the mandate issued in operative paragraph 4, subparagraphs (a) and (e), of resolution AG/RES. 2029 (XXXIV-O/04)] GT/DADIN/doc.189/04

Draft resolution: Amendments to the resolution establishing the Specific Fund to support the elaboration of the American Declaration on the Rights of Indigenous Peoples CP/CAJP-2222/04 rev. 1

## 2005

resolution adopted by the Permanent Council on "Amendments to the Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples" CP/RES.873 (1459/04)

Draft resolution: American Declaration on the Rights of Indigenous Peoples GT/DADIN/doc.219/05 rev. 1

List of expenses incurred by holding the Indigenous People's Caucus, the Fifth Meeting of Negotiations in the Quest for Points of Consensus and the Fourth Special Session of the Working Group GT/DADIN/doc.223/05

Report of the Chair on the activities of the Working Group during the 2004-2005 term GT/DADIN/doc.224/05

Draft resolution: American Declaration on the Rights of Indigenous Peoples CP/CAJP-2285/05

Note from the Chair of the Working Group on the Indigenous Caucus of the Americas, participating in the drafting of the American Declaration on the Rights of Indigenous Peoples, held from May 2 to 6, 2005 GT/DADIN/doc.225/05

Schedule of activities of the Working Group for the 2005-2006 term GT/DADIN/doc.228/05 rev.3

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## 2006

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## 2009

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**2010**

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Draft resolution Draft American Declaration on the Rights of Indigenous Peoples (Approved by the CAJP at its meeting of May 20, 2010) CP/CAJP-2887/10

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**2011**

Draft resolution Draft American Declaration on the Rights of Indigenous Peoples (Presented by the Chair of the Working Group) GT/DADIN/doc. 407/11 rev. 1

Draft resolution Draft American Declaration on the Rights of Indigenous Peoples (Presented by the Chair of the Working Group, cosponsored by the delegation of Bolivia, and approved at the regular meeting of the Committee, held on May 16, 2011) CP/CAJP 3001/11

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**2012**

Draft resolution place and date of the Fourteenth Meeting of Negotiations in the quest for points of consensus, of the working group to prepare the Draft American declaration on the Rights of Indigenous Peoples CP/CAJP-3037/12 rev. 1

Note from the Permanent Mission of Paraguay offering to host the fourteenth meeting of negotiations in the quest for points of consensus of the working group to prepare the Draft American declaration on the Rights of indigenous Peoples CP/CAJP-3038/12

- Note from the Permanent Mission of Paraguay CP/CAJP-3038/12 add. 1

Draft resolution Draft American declaration on the Rights of Indigenous Peoples (Presented by the Chair of the Working Group) GT/DADIN/doc. 416/12

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- Estimated Costs (Document prepared by the Department of International Law) GT/DADIN/doc. 423/12 add. 1

**2013**

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**2015**

Proposed preamble for the Draft American Declaration on the Rights of Indigenous Peoples (Document presented by the Chair) GT/DADIN/doc. 447/12

Note from the Permanent Mission of Colombia requesting a correction in incorporating text into Article XVIII, 4 of the Draft American Declaration on the Rights of Indigenous Peoples (GT/DADIN/doc. 334/08 rev. 11) GT/DADIN/INF. 69/15 - Versão em Português / Version française

Note from the Chair of the Working Group in Response to the Note sent by the Permanent Mission of Colombia, Reflected in Document GT/DADIN/INF. 69/15 GT/DADIN/INF. 70/15 - Versão em Português / Version française

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## Verdict is testament to courage, perseverance and justice



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"This is a momentous verdict," said UN High Commissioner for Human Rights Michelle Bachelet. "But for countless other victims of African descent and their families, in the United States and throughout the world, the fight for justice goes on. The battle to get cases of excessive force or killings by police before the courts, let alone win them is far from over."

Bachelet was commenting on the guilty verdict for former Minneapolis Police Officer Derek Chauvin for the killing of George Floyd. A jury in the United States found Chauvin guilty of second- and – third degree murder and second-degree manslaughter on 20 April 2021. Three other officers have been charged with aiding and abetting murder and manslaughter and are expected to be tried later this year.

"What this verdict tells us, what this moment tells us, is that this a moment of solidarity," said Dominique Day, chair of the Working Group of Experts on People of African Descent (WGEPAD). "Where around the world there is a recognition that accountability can be had and recognition that this moment applies not just to African-Americans, not just to Americans and to Black people in the US, but it applies globally, (showing) what we can expect from our governments and from our institutions."

Bachelet said Floyd's case of police brutality helped to reveal how much remains to be done to confront and dismantle the entrenched legacy of discriminatory policies and systems.

"Now is also the time to critically examine the context in which George Floyd's killing took place by revisiting the past, and examining its toxic traces in today's society," she said in a statement. "The redesign of our future can only be through the full and equal participation of people of African descent, and in ways which transform their interactions with law enforcement, and, more broadly, in all aspects of their lives."

Floyd's death in May 2020, sparked global protests around police brutality and systemic racism. These protests lead to an urgent debate in the Human Rights Council in June 2020. Held at the request of the African Group of States, the debate focused on racially inspired human rights violations, systemic racism, violations by law enforcement officers and violence against peaceful protests.

The Council subsequently adopted by consensus a resolution on the "Promotion and protection of the human rights and fundamental freedoms of Africans and people of African descent against excessive use of force and other human rights violations by law enforcement officers". Bachelet will present a report in June 2021 on the resolution that will include an agenda for transformative change to dismantle systemic racism and police brutality against Africans and people of African descent, and advance accountability and redress for victims.

In the map of the anti-racism and discrimination movements, the verdict sits a very visible high point, Day said. It is an example of what it means to be human rights centred, that part of justice is accountability, and part of justice is reparations.

Promotion and protection of the human rights and fundamental freedoms of Africans and people of African descent against police brutality and other violations of human rights

Statement of High Commissioner on guilty verdict in George Floyd case

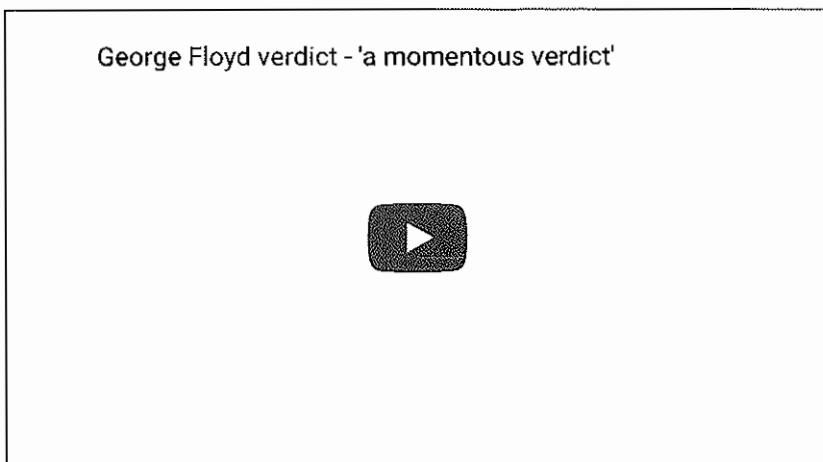
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"I do think that at some level, the global demand for change, the global frustration with the status quo and the idea that these systems, including our governments, really rely on business as usual despite the threat to lives like ours are ultimately really well reflected in this verdict."

**You can watch more reactions on the verdict in the video below.**

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Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

Racial Reckoning

## Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

The announcement comes just over two years since the death of McClain, 23, who had told police, "I can't breathe," after they placed him in a chokehold.



Sept. 1, 2021, 9:14 AM PDT / Updated Sept. 1, 2021, 1:47 PM PDT

**By Erik Ortiz**

Two police officers, one former officer and two paramedics in Aurora, Colorado, will face charges in the death of Elijah McClain, a young Black man who was detained, placed in a chokehold and given a powerful sedative in a confrontation with police in 2019. The indictment comes after an eight-month grand jury investigation convened by Colorado's top prosecutor.

State Attorney General Phil Weiser on Wednesday said the five defendants will be charged with one count each of manslaughter and criminally negligent homicide, as well as other charges in the 32-count indictment.

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Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

The officers named in the indictment are Nathan Woodyard and Randy Roedema and former officer Jason Rosenblatt. The paramedics are Jeremy Cooper and Peter Cichuniec.

McClain's father, LaWayne Mosley, said he cried tears of joy upon learning of the indictment.

"Nothing will bring back my son, but I am thankful that his killers will finally be held accountable," Mosley said in a statement.

The indictments come just over two years since the death of McClain, 23, prompted months of protests by activists that dovetailed into national demonstrations demanding systemic changes in policing galvanized by last year's police killing of George Floyd, a Black man in Minneapolis.

Like Floyd, McClain had told police, "I can't breathe" – a phrase that has been a familiar rallying cry against police brutality.

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Aurora City Manager Jim Twombly said officials "respect the judicial process" and the grand jury's decision, and that while no criminal or civil investigation will "erase the pain and heartbreak of Elijah's loss," the city is committed to restoring the community's trust.

The officers and paramedics employed by the city have been indefinitely suspended without pay, Twombly added. It was not immediately clear if they had attorneys.

The Aurora police union said in a statement that "our officers did nothing wrong" and maintains McClain's death was related to his decision to "violently resist arrest and a pre-existing heart condition."

"The hysterical overreaction to this case has severely damaged the police department," the Aurora Police Association's board of directors said in a statement.

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Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

The Aurora Police Department could not immediately be reached for comment Wednesday.

Criminal charges against police officers accused in a person's death while on duty are rare, and even more so for paramedics and firefighters, and Weiser hinted at the challenge facing prosecutors.

"Make no mistake, we recognize that this case will be difficult to prosecute," Weiser said. "These types of cases always are."

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McClain's encounter with police in Aurora, a Denver suburb, began just after 10:30 p.m. on Aug. 24, 2019, after he bought iced tea from a corner store. At the time, McClain, a massage therapist, was wearing a ski mask – which he typically did because of a blood condition that made him feel cold, according to his family.

Three Aurora police officers responded to a report of a suspicious person wearing a mask and waving his arms.

Bodycam video later released showed officers ordering McClain to stop. He responded that he was an introvert and to "please respect the boundaries that I am speaking."

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After questioning him, the officers grabbed McClain. One of them said he believed McClain had reached for a holstered gun, and McClain was brought to the ground. Aurora police said in a statement that he "resisted contact, a struggle ensued, and he was taken into custody."

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Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death



----- Demonstrators carry placards as they walk down Sable Boulevard during a rally and march over the death of 23-year-old Elijah McClain in Aurora, Colo., on June 27, 2020. David Zalubowski / AP file

Authorities said officers applied a carotid control hold on McClain, a type of chokehold meant to restrict blood to the brain to render a person unconscious. Paramedics were called to the scene, and McClain was injected with ketamine to sedate him after police video showed him writhing on the ground saying, "I can't breathe, please," and vomiting. He apologized for vomiting.

About seven minutes after he received the drug, McClain was found to have no pulse in the ambulance and went into cardiac arrest, according to a report released in fall of 2019 by a local prosecutor, Dave Young. Medics were able to revive McClain, but he was later declared brain dead and taken off life support less than a week later.

The Adams County Coroner's Office determined that McClain's death was due to "undetermined causes," and that the "evidence does not support the prosecution of a homicide," according to Young's report. Young declined to press charges against the officers.

But the coroner did not rule out that the chokehold, in addition to the ketamine, may have contributed to his death.

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Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

Aurora police banned carotid control holds last summer, and separately, federal authorities said they were reviewing whether a civil rights investigation is warranted.

While officers Woodyard and Roedema remain employed by the department, Rosenblatt was one of three other officers fired in July 2020 after an internal investigation found they held a selfie photo session near a memorial site for McClain. A fourth officer also resigned as part of the scandal.

As part of the charges announced Wednesday, Roedema and Rosenblatt face one count of second-degree assault with intent to cause bodily injury and a related one count of a crime of violence.

Cooper and Cichuniec also face one count of second-degree assault with intent to cause bodily injury, one count of second-degree assault for recklessly causing serious bodily injury by means of a deadly weapon via the ketamine and one count of second-degree assault for a purpose other than lawful medical or therapeutic treatment.

Independent probe highlights police failure in Elijah McClain case



The paramedics also face two counts of crimes of violence for each of the assault charges, according to the indictment, which was unsealed.

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Grand jury in Elijah McClain investigation indicted officers, medics in 2019 death

Weiser said a separate investigation into whether the city's police and fire departments have a pattern of violating people's civil rights is ongoing.

A lawsuit filed by McClain's family in August 2020 alleges that excessive force used by the officers over a span of 18 minutes caused an increase of lactic acid in his blood, and mixed with the ketamine injected into him, negatively affected his respiratory system.

An independent probe commissioned by the city of Aurora and released in February concluded police had no justification to stop or use force to detain McClain, and responding paramedics sedated him with ketamine "without conducting anything more than a brief visual observation."

The 5-foot-7, 140-pound McClain was given ketamine that would have been proper for a man weighing 190 pounds, according to the panel's findings.

The report suggested a change in policy for paramedics responding to the scene with police, and said they should not act as an "arm" of the department.

State lawmakers and advocates for police accountability reform praised the charges on Wednesday after championing new legislation in the wake of McClain's death that bans chokeholds during arrests and requires officers who see misconduct on the job to report it.

The indictment is "a necessary next step in ensuring that the deeply-embedded systemic failures of the city of Aurora will finally begin to change," Deborah Richardson, executive director of the ACLU of Colorado, said.

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Erik Ortiz



Erik Ortiz is a staff writer for NBC News focusing on racial injustice and social inequality.

9/2/2021

Grand jury in Elijah McClain investigation indicts officers, medics in 2019 death

Sarah Ford contributed.

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## RE: MTA Case

Received: Friday, May 28, 2021 10:40 AM

From: Minogue, Stephanie MinogueS@dany.nyc.gov  
To: 'Premdays.Inc' Premdays.Inc@protonmail.com  
CC: Johnson, Edward johnsone@dany.nyc.gov

Good morning Ms. El-Bey.

I hope that you have been doing well and staying safe and healthy. I'm writing to update you on the investigation of the encounter you had with two MTA police officers at Penn Station in January 2020. We were able to review surveillance video and speak to a number of witnesses, and bring the officers in for questioning as well. Unfortunately, we simply could not find enough evidence to establish beyond a reasonable doubt – the standard we are required to meet in a criminal case – that either of the officers committed a crime. One obstacle in particular was that several of the surveillance cameras at Penn Station were not working that night, including the camera in the elevator where the incident took place. We also were unable to find any eyewitnesses to the incident itself.

I do want to let you know that both officers are still going to face disciplinary charges because of the work that Lieutenant Hosein with the MTA's Internal Affairs Bureau did in investigating your case. The fact that we can't go forward with criminal charges is not going to change that.

If you have any questions about the outcome of our investigation, please do not hesitate to reach out. You can either email me at this email address, or contact me at 212 335 9099.

Best regards,

Stephanie Minogue

Deputy Chief

Police Accountability Unit

New York County District Attorney's Office

1 Hogan Place, Room 755

New York, NY 10013

O: 212.335.9099

C: 646.954.2750

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**From:** Premdays.Inc [mailto:[Premdays.Inc@protonmail.com](mailto:Premdays.Inc@protonmail.com)]

**Sent:** Wednesday, December 9, 2020 2:45 PM

**To:** Minogue, Stephanie <[MinogueS@dany.nyc.gov](mailto:MinogueS@dany.nyc.gov)>

**Cc:** Johnson, Edward <[johnsonE@dany.nyc.gov](mailto:johnsonE@dany.nyc.gov)>

**Subject:** Re: MTA Case

Well mta refused to allow me to file claims soe my personal properties bills they are asking for information yet I cannot case number to give to Mr. Felix Williams then you guys need to call him at 7188504218 or 7186943998 my question is whom ia going to reimburse me for my properties that wad damage MTA/asking for info so am left to file a sue in court that is mean hired an attorney if I csn find one that can take the case pro Bono or else I will have to cuff of upfront monies for court and court cases that is money I do not have

Sent from ProtonMail mobile

----- Original Message -----

On Dec 9, 2020, 11:41 AM, Minogue, Stephanie <[MinogueS@dany.nyc.gov](mailto:MinogueS@dany.nyc.gov)> wrote:

Good morning Ms. El-Bey,

Investigator Johnson told me that you were asking for the case number for our investigation. Unfortunately, that's not something we can give out. It's an internal tracking number that we're not allowed to share since it relates to a pending investigation. We've got what's called a "grand jury investigation" opened for your case, but those are by law completely secret and confidential. That means that legally we can't share information about your case with anyone, except for Lieutenant Hosein because he is helping us with the investigation. So, because we can't help you with your lawsuit, you may want to hire your own attorney to help with that.

However, there is something we might be able to help you with. In New York there is an agency called the Office of Victim Services. They have a program where you can file a claim for compensation for different things if you are a victim of a crime. There is a part of our office called the Witness Aid Services Unit, which helps victims of crimes file those claims all the time. If it's ok with you, I can give them your email and/or phone number. Then, they can reach out to you, talk to you about your options and help you file a claim with the Office of Victim Services. Let me know what contact info I can give them and I will do that right away.

Best,

Stephanie Minogue

Assistant District Attorney

Public Corruption Unit

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New York County District Attorney's Office

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Sent: Thursday, May 27, 2021 12:22 PM

From: Premdays.Inc Premdays.Inc@protonmail.com

To: Hosein, Derek DHOSEIN@mtapd.org

Good Morning,

I need your help the Southern District Of New York Court been trying to send documents to officer Crocillo and they have no luck I just got off the phone with the Pro se office and they are trying to serve the officer and his party. The United States District Court Southern District Of New York Can you please reach out to them and give them the information or can I mail you the documents out then you can passed it on to them the phone number for the court is (212)805-0136 and the case number is 20-CV-0524 (LLS) or (MKV) (GWG).

Please feel free to contact the court and give them the information's that they needed to serve the officer or send me a letter with the information so I can upload it to the temporary prose email address or if you want that email address please let me and I can email it to you.

Thank you,

Stay safe and have a bless day

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, January 17, 2020 1:52 AM, Premdays.Inc <Premdays.Inc@protonmail.com> wrote:

<https://www.instagram.com/p/B5RySyQg6HU/?igshid=1va2gvwam64ec>

Sent from ProtonMail Mobile

{

you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please promptly notify the sender by e-mail, and destroy all copies of the transmission. Thank you.

**From:** Minogue, Stephanie  
**Sent:** Wednesday, December 9, 2020 3:21 PM  
**To:** 'Premdays.Inc' <Premdays.Inc@protonmail.com>  
**Cc:** Johnson, Edward <johnsone@dny.nyc.gov>  
**Subject:** RE: MTA Case

Good afternoon Ms. El-Bey,

I'm sorry that you are having issues filing your claims against the MTA. But again, unfortunately we can't help you with your lawsuit. Our office is only working on the criminal investigation related to your case, which is totally separate from your lawsuit. Also, as I mentioned before, the laws about grand jury investigations being confidential means we are not allowed to share information about your case with anyone while the case is ongoing, except people like Lieutenant Hosein who are helping us with the investigation.

I know you are understandably very concerned about being reimbursed for all the property that was lost, so I sent your email to our Witness Aid Services Unit. They have a lot more information on things the government can do to help reimburse the victims of crime that don't depend on you filing a lawsuit. They also have a list of pro bono agencies that you may be able to talk to about your claim against the MTA even though our office can't help you with the lawsuit. Someone from the Witness Aid Services Unit will send you an email over the next few days to talk to you about your case and what options you might have.

Best,

Stephanie Minogue

Assistant District Attorney

Public Corruption Unit

New York County District Attorney's Office

1 Hogan Place, Room 755

New York, NY 10013

O: 212.335.9099

C: 646.954.2750

8/31/2021

Search | Premdays.Inc@protonmail.com | ProtonMail

## My company design

Sent: ↗ Friday, January 17, 2020 1:59 AM

From: Premdays.Inc Premdays.Inc@protonmail.com

To: dhosein@mtapd.org dhosein@mtapd.org, Hosein, Derek DHOSEIN@mtapd.org

<https://www.instagram.com/p/BuK0-lFAbDY/?igshid=1otdk3y5rxv6m>

Sent from ProtonMail Mobile

8/31/2021

Search | Premdays.Inc@protonmail.com | ProtonMail

## RE: MTA Case

Received:  Friday, May 28, 2021 10:40 AM

From: Minogue, Stephanie MinogueS@dany.nyc.gov  
To: 'Premdays.Inc' Premdays.Inc@protonmail.com  
CC: Johnson, Edward johnsone@dany.nyc.gov

Good morning Ms. El-Bey,

I hope that you have been doing well and staying safe and healthy. I'm writing to update you on the investigation of the encounter you had with two MTA police officers at Penn Station in January 2020. We were able to review surveillance video and speak to a number of witnesses, and bring the officers in for questioning as well. Unfortunately, we simply could not find enough evidence to establish beyond a reasonable doubt – the standard we are required to meet in a criminal case – that either of the officers committed a crime. One obstacle in particular was that several of the surveillance cameras at Penn Station were not working that night, including the camera in the elevator where the incident took place. We also were unable to find any eyewitnesses to the incident itself.

I do want to let you know that both officers are still going to face disciplinary charges because of the work that Lieutenant Hosein with the MTA's Internal Affairs Bureau did in investigating your case. The fact that we can't go forward with criminal charges is not going to change that.

If you have any questions about the outcome of our investigation, please do not hesitate to reach out. You can either email me at this email address, or contact me at 212 335 9099.

Best regards,

Stephanie Minogue

Deputy Chief

Police Accountability Unit

New York County District Attorney's Office

1 Hogan Place, Room 755

New York, NY 10013

O: 212.335.9099

C: 646.954.2750

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**From:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Date:** Thursday, August 12, 2021 at 10:50  
**To:** "Premdays.Inc" <[Premdays.Inc@protonmail.com](mailto:Premdays.Inc@protonmail.com)>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

Your audio keeps cutting out as well. I think your internet connection is part of the problem.

Do you have a stable internet connection you can use?

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

212-878-7398 (F)

659-684-2798 (C) (During coronavirus-related remote work)

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**From:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Date:** Thursday, August 12, 2021 at 10:23  
**To:** "Premdays.Inc" <[Premdays.Inc@protonmail.com](mailto:Premdays.Inc@protonmail.com)>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

Okay, thanks for letting me know. I'm sure they will resolve this for you soon. Sorry again for the difficulties.

Jason Douglas Barnes

Assistant Associate Counsel

{

}

8

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

212-878-7398 (F)

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 12, 2021 at 10:22  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

she sound so confused, she said they've been having issued this morning she put me on hold now she transfer me to some gentleman

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 12th, 2021 at 7:15 AM, Barnes, Jason <JaBarnes@MTAHQ.org> wrote:

Okay. Sorry for the difficulties you're having. I hope that they can help you get in soon.

Jason Douglas Barnes

8

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

212-878-7398 (F)

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 12, 2021 at 10:14  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

It's telling me am not eligible to join the zoom meeting.

I will call her now, thanks.

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 12th, 2021 at 7:04 AM, Barnes, Jason <JaBarnes@MTAHQ.org> wrote:

If you have trouble joining, please call Lexitas at 516-678-0700 to speak with a technician who can assist you.

{

If you are going to call them, please let me know, so I can tell the court reporter and she can let the technicians know you'll be calling.

Thanks,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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**From:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Date:** Thursday, August 12, 2021 at 10:01  
**To:** "Premdays.Inc" <[Premdays.Inc@protonmail.com](mailto:Premdays.Inc@protonmail.com)>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

Thank you for scheduling a LegalView remote proceeding with Lexitas. Below are some best practices for a successful remote experience and the link to join.

Please email all exhibits to [nytristatehelp@lexitaslegal.com](mailto:nytristatehelp@lexitaslegal.com) to prevent any delays.

\*\*\*Please note YOU CAN forward this invite to the appropriate person for participation\*\*\*

Topic: EL-BEY V MTA  
Time: Aug 12, 2021 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flexitas.zoom.us%2Fj%2F92895415257%3Fpwd%3DK3ozTVJGSVR4R3UrYWtob0R1dVUzdz09&data=04%7C01%7CJABARNES%40MTAHQ.ORG%7C929f58ac8970421eb32408d958e2c479%7C79c07380cc9841bd806b0ae925588f6%7C0%7C1%7C637638553679161740%7CUnknown%7CTWFpbGZsb3d8eyJWIjoIMC4wLiAwMDAiLCJQIjoIV2luMzliLCJBTIi6Ik1haWwiLCJXVCI6Mn0%3D%7C2000&data=5RJMRVVDiu1AbSFM9BZTeLhJjJHyBMqDW32mvhSrSfk%3D&reserved=0>

Meeting ID: 928 9541 5257

8

Passcode: 351181

One tap mobile

+16468769923,,92895415257# US (New York) 13126266799,,92895415257# US  
+(Chicago)

Dial by your location

- +1 646 876 9923 US (New York)
- +1 312 626 6799 US (Chicago)
- +1 301 715 8592 US (Washington DC)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 900 6833 US (San Jose)

Meeting ID: 928 9541 5257

Find your local number: [https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flexitas.zoom.us%2Fu%2fabCvTL5hyN&data=04%7C01%7CJABARN](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flexitas.zoom.us%2Fu%2FabCvTL5hyN&data=04%7C01%7CJABARN)

ES%40MTAHQ.ORG%7C929f58ac8970421eb32408d958e2c479%7C79c07380cc9841bd806b0ae925588f66%7C0%7C1%7C637638553679161740%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBtil6lk1haWwiLCJXVCI6Mn0%3D%7C2000&data=CnySL%2F56TPUrHPgDxIR0n4Eh%2FRRdTSdiQrU%2Bg54xd0%3D&reserved=0

Join by SIP

92895415257@zoomcrc.com

Join by H.323

- 162.255.37.11 (US West)
- 162.255.36.11 (US East)
- 115.114.131.7 (India Mumbai)
- 115.114.115.7 (India Hyderabad)
- 213.19.144.110 (Amsterdam Netherlands)
- 213.244.140.110 (Germany)
- 103.122.166.55 (Australia Sydney)
- 103.122.167.55 (Australia Melbourne)
- 149.137.40.110 (Singapore)
- 64.211.144.160 (Brazil)
- 149.137.68.253 (Mexico)
- 69.174.57.160 (Canada Toronto)
- 65.39.152.160 (Canada Vancouver)
- 207.226.132.110 (Japan Tokyo)
- 149.137.24.110 (Japan Osaka)

Meeting ID: 928 9541 5257

Passcode: 351181

Join by Skype for Business

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flexitas.zoom.us%2Fskype%2F92895415257&data=04%7C01%7CJABARN>

ARNES%40MTAHQ.ORG%7C929f58ac8970421eb32408d958e2c479%7C79c07380cc9841bd806b0ae925588f66%7C0%7C1%7C637638553679161740%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBtil6lk1haWwiLCJXVCI6Mn0%3D%7C2000&data=krlUL05jF5aQTaUytYJQNga%2BbkX9lkU3FpcQTyRUi3LY%3D&reserved=0

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Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 12, 2021 at 10:00  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

What is that link, since whatever was send to me that day that I could not open the file/open it I had send you an email then you had replied back for this meeting this morning, just please send me the zoom link, thanks.

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 12th, 2021 at 6:52 AM, Barnes, Jason <JaBarnes@MTAHQ.org> wrote:

8

Yes. You should have received a Zoom invitation from Lexitas, the court reporter company we use.

Thanks,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 12, 2021 at 09:50  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

Good Day,

Are we still on for this morning?

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

8

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, August 6th, 2021 at 6:36 AM, Premdays.Inc <Premdays.Inc@protonmail.com> wrote:

Okay, great please let me know

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, August 6th, 2021 at 6:32 AM, Barnes, Jason <JaBarnes@MTAHQ.org> wrote:

Dear Ms. El-Bey,

I received your message.

As we discussed on the telephone yesterday, **we will NOT be meeting today** because court reporters were unavailable and because of the coronavirus.

I am trying to get the court reporter company to confirm that they will be at a virtual meeting (via Zoom, Microsoft Teams, or similar) on Thursday, August 12, 2021 (i.e. next week).

I will let you know soon if they are available for the 12<sup>th</sup> or if it will have to be one of the other days you said you were available.

Thank you,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

{

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 5, 2021 at 19:40  
**To:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

For safety what program shall I download or you guy's will be used for the meeting in my computer?..

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Thursday, August 5th, 2021 at 2:50 PM, Barnes, Jason <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)> wrote:

Dear Ms. El-Bey,

It was nice talking with you as well.

I am writing to confirm that I received the documents you attached to this email

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and in a separate email. I also received the email in which you clarified the different email accounts you have.

I am still waiting for the company that provides the court reporters for our examinations to confirm that they will be able to do a virtual meeting on Thursday, August 5, 2021. I expect that they will do so by tomorrow morning and will let you know when they do. Thank you for your patience with this.

Best,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 5, 2021 at 15:29  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey v. MTA Notice of Claim Examination... Nice chatting with you

Good Day Sir,

It was nice talking to you briefly over the phone so far this is the information that we spoke about.

Please feel free to contact me at (212)804-8688 or my Florida home (754)444-1843

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

{

}

8

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 5th, 2021 at 12:15 PM, Premdays.Inc  
<Premdays.Inc@protonmail.com> wrote:

Good Day,

I had send you an emailed. Please call me at (212)804-8688. Thanks.

I rather do it virtual or over the phone because am concern about covid-19

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 5th, 2021 at 9:36 AM, Barnes, Jason  
<JaBarnes@MTAHQ.org> wrote:

Dear Ms. El-Bey,

I represent the Metropolitan Transportation Authority ("MTA") with regard to your notice of claim filed against it. (Please note that the MTA, the New York City Transit Authority ("NYCTA"), and the City of New York are each separate legal entities and any interaction you may have had with the NYCTA or the City does not govern the MTA.)

A copy of your notice of claim that the MTA received and the notice of examination I sent in response are attached to this email. And an email thread between myself and your attorney at the time, Yan Fu, who recently told me he is no longer your attorney, is below.

8

As is reflected in the thread below, I previously scheduled an examination of you under oath pursuant to Public Authorities Law Section 1276 through Mr. Fu, for **tomorrow, August 6, 2021**.

Mr. Fu informed me that you wished to do the examination in person, and not through Microsoft Teams.

However, I have been informed that the court reporter service that the MTA uses is **unable to send a reporter for an in-person examination tomorrow**, but would be able to do it virtually instead or reschedule.

Additionally, there is a concern about doing an examination in person, because your attorney informed me previously that you were not vaccinated against the COVID-19 virus, and there have recently been news reports of the virus's delta spreading between vaccinated and unvaccinated people.

**Would you be able to participate in a virtual examination tomorrow, or would you like me to reschedule the examination for a future date at which it can safely be done in person?**

**Please let me know by email as soon as possible.**

Best regards,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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**From:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>

**Date:** Monday, July 12, 2021 at 18:30

{

**To:** Yan Fu <yfu@thefufirm.com>  
**Subject:** Re: El-Bey Claim

Yan,

Okay, we'll do that.

Thanks,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

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**From:** Yan Fu <yfu@thefufirm.com>  
**Date:** Monday, July 12, 2021 at 18:26  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: El-Bey Claim

Can we pencil in August 6 if you still think it will work? As the date approaches, if you realize that it won't work, we can reschedule for a remote deposition.

On Mon, Jul 12, 2021 at 6:07 PM Barnes, Jason <[JaBarnes@mtahq.org](mailto:JaBarnes@mtahq.org)> wrote:

No, sorry, the 5<sup>th</sup> is no good for me. Later is better.

{

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

212-878-7398 (F)

559-684-2798 (C) (During coronavirus-related remote work)

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**From:** Yan Fu <[yfuf@thefufirm.com](mailto:yfuf@thefufirm.com)>  
**Date:** Monday, July 12, 2021 at 17:48  
**To:** Barnes, Jason <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Subject:** Re: El-Bey Claim

She can't do the 10th. Can you do August 5?

Yan Fu  
The Fu Firm PLLC  
43 West 43rd Street, Suite 205  
New York, NY 10036  
Office: (212) 584-0581  
[www.thefufirm.com](http://www.thefufirm.com)

On Mon, Jul 12, 2021, 4:11 PM Barnes, Jason <[JaBarnes@mtahq.org](mailto:JaBarnes@mtahq.org)> wrote:

Yan,

Any luck with 8/10?

Thanks,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

{

}

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2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

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**From:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>

**Date:** Saturday, July 10, 2021 at 12:14

**To:** Yan Fu <[yfu@thefufirm.com](mailto:yfu@thefufirm.com)>

**Subject:** Re: El-Bey Claim

Much appreciated.

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

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**From:** Yan Fu <[yfu@thefufirm.com](mailto:yfu@thefufirm.com)>

**Date:** Saturday, July 10, 2021 at 12:07

**To:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>

**Subject:** Re: El-Bey Claim

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I'll see if she can do 8/10. I'm out of town after that.

**Yan Fu**

**The Fu Firm PLLC**

**43 West 43rd Street, Suite 205**

**New York, NY 10036**

**Office: (212) 584-0581**

[www.thefufirm.com](http://www.thefufirm.com)

On Sat, Jul 10, 2021 at 12:05 PM Barnes, Jason  
<[JaBarnes@mtahq.org](mailto:JaBarnes@mtahq.org)> wrote:

Yan,

I believe 8/6 will work, although the following week (other than Monday)  
would be better for me if your client will still be around.

Thanks,

**Jason Douglas Barnes**

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

212-878-7398 (F)

559-684-2798 (C) (During coronavirus-related remote work)

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8

**From:** Yan Fu <[yfu@thefufirm.com](mailto:yfu@thefufirm.com)>  
**Date:** Friday, July 9, 2021 at 13:20  
**To:** Jason Barnes <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Subject:** Re: El-Bey Claim

Jason,

My client is available on August 6 for the examination if that works for you. She will be in the NYC area during that time.

I also misunderstood her vaccination status. She is actually NOT vaccinated due to an underlying condition.

With that said, I'm still willing to do the examination in person (and I'm vaccinated). I am also good with taking reasonable precautions - she said she is used to wearing two masks. If you would prefer that she appear virtually, that is also fine.

**Yan Fu**

**The Fu Firm PLLC**

**43 West 43rd Street, Suite 205**

**New York, NY 10036**

**Office: (212) 584-0581**

[www.thefufirm.com](http://www.thefufirm.com)

On Thu, Jul 8, 2021 at 11:43 AM Yan Fu <[yfu@thefufirm.com](mailto:yfu@thefufirm.com)> wrote:

I am also glad.

My client and I are both vaccinated. For what it's worth, I just saw a NY Times notification that fully vaccinated people are protected against the Delta variant.

I will let you know as soon as my client lets me know when she will be in back in the area. I'll try and give you as much heads up as possible. Otherwise, we can discuss dates for a virtual examination as we get closer to August. I'll be out of town August 11-23.

Thanks.

8

Yan Fu

The Fu Firm PLLC

43 West 43rd Street, Suite 205

New York, NY 10036

Office: (212) 584-0581

[www.thefufirm.com](http://www.thefufirm.com)

On Thu, Jul 8, 2021 at 10:21 AM Barnes, Jason <[JaBarnes@mtahq.org](mailto:JaBarnes@mtahq.org)> wrote:

Yan,

Sounds good. I agree. I am glad we could resolve the murkiness of service during the Pandemic this way.

I'm happy to do it in person at 2 Broadway, as long as the information about vaccine effectiveness for the variants does not change. It would also be helpful to know if you and Ms. El-Bey have received one of the vaccines. I can try to secure a court reporter who also has—we normally use Dietz for these.

As for dates, I presently have appearances or other obligations on 7/14, 7/21, 8/9, 8/24, 9/2-9/7, 9/29-30. I'm trying to schedule something where I'll be unavailable for a week or two, but don't know the dates yet.

Thanks,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

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Metropolitan Transportation Authority

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New York, NY 10004

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**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Thursday, August 19, 2021 at 12:42  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** update about the hearing conference

Good Day,

My meeting this morning with the Judge she will added the MTA and she granted me to amended my complaint to added the other officers. I honestly hate to sue the MTA and the City Of New York. This is not easy for me but I need to get some forms of Justice. I will asked the Judge as this case move forward to have those officers fire and never works for the systems ever again nor work in a place that they can access clients personal records especially for Crocillo. MTA nor the City Of New York is not my enemies, but MTA have bad apples amongst them that can destroy good apples. I though I should email you that MTA will be put back in the sue list and the City Of New York will be remove but I have the options to add the City

Queen Prinyah Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

8

Thanks,

Sincerely,

Queen Prinya Godiah Nefertiti Ma'at Imin Amon Amun Payne El-Bey

CEO & Founder of

Premdays, Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, August 20th, 2021 at 8:21 AM, Barnes, Jason <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)> wrote:

Dear Ms. El-Bey,

Thank you for letting me know about what happened at the conference.

When you have drafted the amended complaint and need to serve it on the MTA, please be advised that the MTA is currently still accepting service by email in lieu of personal service, by emailing the document to [vclement@mtahq.org](mailto:vclement@mtahq.org) (complete upon receiving acknowledgment). Or I can accept service on behalf of the MTA for this case. Additionally, we currently anticipate that law department staff will be in the office and able to accept personal delivery of documents beginning September 7.

Regarding your reasons for wishing to add the MTA, you may want to ask the Court's Pro Se Office (<https://www.nysd.uscourts.gov/prose/role-of-the-prose-intake-unit/contact>) or a pro bono attorney, if the court appoints one, for advice about that. As much as it might make sense to fire an officer who did the things you allege he did, that is not the sort of remedy that a court awards when you win a case. Instead, what you would likely get is money damages, which could either come from the officer himself or the MTA, depending on the circumstances, and in rare instances there might be an order that the MTA has to implement additional training. I am unable to advise you about this, because I am not your attorney, but I highly encourage you to ask someone else who is knowledgeable about the law about this issue.

Best wishes,

Jason Douglas Barnes

Assistant Associate Counsel

{

CEO & Founder of

Premdays.Inc

Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, August 5th, 2021 at 9:36 AM, Barnes, Jason  
<JaBarnes@MTAHQ.org> wrote:

Dear Ms. El-Bey,

I represent the Metropolitan Transportation Authority ("MTA") with regard to your notice of claim filed against it. (Please note that the MTA, the New York City Transit Authority ("NYCTA"), and the City of New York are each separate legal entities and any interaction you may have had with the NYCTA or the City does not govern the MTA.)

A copy of your notice of claim that the MTA received and the notice of examination I sent in response are attached to this email. And an email thread between myself and your attorney at the time, Yan Fu, who recently told me he is no longer your attorney, is below.

As is reflected in the thread below, I previously scheduled an examination of you under oath pursuant to Public Authorities Law Section 1276 through Mr. Fu, for **tomorrow, August 6, 2021**.

Mr. Fu informed me that you wished to do the examination in person, and not through Microsoft Teams.

However, I have been informed that the court reporter service that the MTA uses is **unable to send a reporter for an in-person examination tomorrow**, but would be able to do it virtually instead or reschedule. Additionally, there is a concern about doing an examination in person, because your attorney informed me previously that you were not vaccinated against the COVID-19 virus, and there have recently been news reports of the virus's delta spreading between vaccinated and unvaccinated people.

**Would you be able to participate in a virtual examination tomorrow, or would you like me to reschedule the examination for a future date at which it can safely be done in person?**

Please let me know by email as soon as possible.

t

3

8/31/2021

Sent | Premdays.Inc@protonmail.com | ProtonMail

## Re: update about the hearing conference

Received:  Sunday, August 29, 2021 7:41 PM

From: Barnes, Jason JaBarnes@MTAHQ.org

To: Premdays.Inc Premdays.Inc@protonmail.com

Dear Ms. El-Bey,

I do not know what claims you could have against any union.

However, for what it is worth, my understanding is that MTA police officers are members of a labor union called the Metropolitan Transportation Authority Police Benevolent Association. That union is a private organization that is not affiliated with the MTA, and I do not represent it. You can find the union's contact information on its website:  
<https://www.mtapba.com/>

Best,

Jason Douglas Barnes

Assistant Associate Counsel

Metropolitan Transportation Authority

2 Broadway, C4.85

New York, NY 10004

[jabarnes@mtahq.org](mailto:jabarnes@mtahq.org)

212-878-7215 (T)

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---

**From:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Reply-To:** "Premdays.Inc" <Premdays.Inc@protonmail.com>  
**Date:** Saturday, August 28, 2021 at 12:57  
**To:** Jason Barnes <JaBarnes@MTAHQ.org>  
**Subject:** Re: update about the hearing conference

Good Day,

I want to have the name(s), address(es) and phone number(s) of whatever Unions that will be part of this case or MTA have that cover those MTA Policy Officers or the MTA Police Officer Unions.

8

**From:** Yan Fu <[yfu@thefufirm.com](mailto:yfu@thefufirm.com)>  
**Date:** Thursday, July 8, 2021 at 08:16  
**To:** Barnes, Jason <[JaBarnes@MTAHQ.org](mailto:JaBarnes@MTAHQ.org)>  
**Subject:** Re: El-Bey Claim

Jason,

We would be willing to agree that, for purposes of Public Authorities Law 1276 and General Municipal Law 50-e, my client properly and timely filed a notice of claim. Practically speaking, this would allow plaintiff to include state law claims against the MTA in the federal action and MTA would agree not to raise any notice of claim and statute of limitations defenses, related to state law torts, under the Public Authorities or General Municipal Laws.

This saves plaintiff and the MTA from litigation in state court over whether plaintiff can file a late notice of claim (for what it's worth, we would argue in part that the Governor's Executive Order 202.8, which was extended several times, tolled the statute of limitations from March 20, 2020 through November 3, 2020).

In exchange, we agree that your notice for examination pursuant to PBA 1276 is timely.

I can't do August 23 since I have a planned vacation and I am returning on that date. Happy to pick another date in late August or in September. My client just moved out of state but returns to the NYC area periodically. She would actually prefer to do the examination in person if we can schedule it for a date when she is here for another appointment. She is not sure yet about her availability in August or September.

Obviously, the manner of the examination is also subject to the MTA's working protocol at that time and/or the convenience of the attorneys and my client. If it has to be virtual, then it will be virtual.

Let me know if you agree to all of this.

**Yan Fu**

**The Fu Firm PLLC**

**43 West 43rd Street, Suite 205**

**New York, NY 10036**

**Office: (212) 584-0581**

9/1/2021

Leyland C Crocilla · Police Officer · Metropolitan Transportation Authority

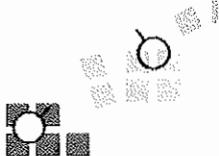
Leyland C Crocilla

1. Employee Overview
2. Employer Overview
3. Position Information
4. Competitor
5. Register Information



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# Leyland C Crocilla

Metropolitan Transportation Authority

**Employer:** Metropolitan Transportation Authority

**Position:** Police Officer

*Leyland C Crocilla* is employed with New York State (<https://opengovus.com/new-york-state-employee>), Metropolitan Transportation Authority. The job title is Police Officer.

name, employer, title

OPEN

HOT

Just the thing you wanted

## Employee Overview

**Full Name** Crocilla, Leyland C

**Last Name** Crocilla

**First Name** Leyland

**Middle Initial** C

9/1/2021

Leyland C Crocilla - Police Officer - Metropolitan Transportation Authority

**Authority Name** Metropolitan Transportation Authority**Department** Police Manhttn D4 Penn**Position Title** Police Officer**Title Group** Operational**Pay Type** FT**Exempt Indicator** N**Fiscal Year End Date** 12/31/2016**Base Annualized Salary** 101892.96**Actual Salary Paid** 114769.03**Overtime Paid** 80851.20**Performance Bonus** 0.00**Extra Pay** 0.00**Other Compensation** 1229.72**Total Compensation** \$96,849.95**Paid by Another Entity** N

## Salary History

Year	Position Title	Base Salary	Actual Salary	Overtime	Performance	Extra	Other	Total Compensation
2016	Police Officer	101892.96	114769.03	80851.20	0.00	0.00	1229.72	\$96,849.95
2016	Police Officer	\$101892.96	\$114769.03	\$80851.20	\$0.00	\$0.00	\$1229.72	\$96,849.95
2015	Police Officer	100008.48	111744.70	74346.81	0.00	0.00	1199.72	\$87,291.23
2015	Police Officer	\$100008.48	\$111744.70	\$74346.81	\$0.00	\$0.00	\$1199.72	\$87,291.23
2014	Police Officer	98161.44	109251.27	60846.92	0.00	17852.05	1149.33	\$89,099.57
2014	Police Officer	\$98161.44	\$109251.27	\$60846.92	\$0.00	\$17852.05	\$1149.33	\$89,099.57
2013	Police Officer	88978.00	101846.00	71725.00	0.00	0.00	1100.00	\$74,671.00
2013	Police Officer	\$88978.00	\$101846.00	\$71725.00	\$0.00	\$0.00	\$1100.00	\$74,671.00
2012	Police Officer	88978.24	101000.00	50122.33	0.00	0.00	1050.00	\$52,172.33
2012	Police Officer	\$88978.24	\$101000.00	\$50122.33	\$0.00	\$0.00	\$1050.00	\$52,172.33
2011	Police Officer	87981.92	100040.85	55092.63	0.00	0.00	1000.00	\$56,133.48
2011	Police Officer	\$87981.92	\$100040.85	\$55092.63	\$0.00	\$0.00	\$1000.00	\$56,133.48

2/6

## Google Chrome

Chrome has the smarts and speed you need to create and explore online.

Google Chrome

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9/1/2021

Leyland C Crocilla · Police Officer · Metropolitan Transportation Authority

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 Directions

Website

Ad <https://www.truckersbookkeepingservice.com/free/authority> \*Get Your Authority For Free - MC/DOT & BOC3 Authority

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Transportation Experts

Our Goal Is To Eliminate Confusion  
& Improve Your Cash Flow Today.

Permitting and

TBS helps you go  
start making morAd [https://www.beenverified.com/public\\_records/people\\_search](https://www.beenverified.com/public_records/people_search) \*We Found Crocilla - View Public Records OnlineSee Crocilla's Public Records For Phone Number, Address, Email & More. Lookup Any Name...

Find Contact Information Social Media Profiles

Email Address Lookup Personal Dashboard

TONI&amp;GUY Hairdressing Barbering Academy

Contact Us for Information

We Provide Advanced Education to Our Customers.

 Directions

Website

## Employer Overview

 Metropolitan Transportation Authority New York State  
 0

Maximum Salary \$0

Average Salary \$0

## Employees with the same employer

Name	Authority	Position	Compensation
Joseph R Cona ( <a href="https://opengovus.com/new-york-state-employee/Cona%2C_Joseph_R">https://opengovus.com/new-york-state-employee/Cona%2C_Joseph_R</a> )	Metropolitan Transportation Authority	Sergeant	\$99,882

9/1/2021

Leyland C Crocilla · Police Officer · Metropolitan Transportation Authority

Thomas G Vernon ( <a href="https://opengovus.com/new-york-state-employee/Vernon%2C_Thomas_G">https://opengovus.com/new-york-state-employee/Vernon%2C_Thomas_G</a> )	Metropolitan Transportation Authority	M W Utility Worker	\$99,775
Daniel M Piroscafo ( <a href="https://opengovus.com/new-york-state-employee/Piroscafo%2C_Daniel_M">https://opengovus.com/new-york-state-employee/Piroscafo%2C_Daniel_M</a> )	Metropolitan Transportation Authority	Conductor	\$99,763
Maria G Nunez ( <a href="https://opengovus.com/new-york-state-employee/Nunez%2C_Maria_G">https://opengovus.com/new-york-state-employee/Nunez%2C_Maria_G</a> )	Metropolitan Transportation Authority	Supvsg Agent-Penn Station	\$99,445
Timothy J Buckley ( <a href="https://opengovus.com/new-york-state-employee/Buckley%2C_Timothy_J">https://opengovus.com/new-york-state-employee/Buckley%2C_Timothy_J</a> )	Metropolitan Transportation Authority	Sergeant	\$99,391
Peter M Torregrossa ( <a href="https://opengovus.com/new-york-state-employee/Torregrossa%2C_Peter_M">https://opengovus.com/new-york-state-employee/Torregrossa%2C_Peter_M</a> )	Metropolitan Transportation Authority	Conductor	\$99,306
John Gaito ( <a href="https://opengovus.com/new-york-state-employee/Gaito%2C_John">https://opengovus.com/new-york-state-employee/Gaito%2C_John</a> )	Metropolitan Transportation Authority	Chief Stations Officer	\$99,271
John A Fabilli ( <a href="https://opengovus.com/new-york-state-employee/Fabilli%2C_John_A">https://opengovus.com/new-york-state-employee/Fabilli%2C_John_A</a> )	Metropolitan Transportation Authority	Conductor	\$99,258
William Scheuer ( <a href="https://opengovus.com/new-york-state-employee/Scheuer%2C_William">https://opengovus.com/new-york-state-employee/Scheuer%2C_William</a> )	Metropolitan Transportation Authority	Mtce Supv (Track) II	\$99,242
Charles E Glasgow ( <a href="https://opengovus.com/new-york-state-employee/Glasgow%2C_Charles_E">https://opengovus.com/new-york-state-employee/Glasgow%2C_Charles_E</a> )	Metropolitan Transportation Authority	Sr Dir Employee & Labor Relat	\$99,240

## Position Information

### Employees with the same position and employer

Name	Authority	Position	Compensation
Stephen O Burns ( <a href="https://opengovus.com/new-york-state-employee/Burns%2C_Stephen_O">https://opengovus.com/new-york-state-employee/Burns%2C_Stephen_O</a> )	Metropolitan Transportation Authority	Police Officer	\$97,034
Maurice A McKay ( <a href="https://opengovus.com/new-york-state-employee/McKay%2C_Maurice_A">https://opengovus.com/new-york-state-employee/McKay%2C_Maurice_A</a> )	Metropolitan Transportation Authority	Police Officer	\$96,295
Frederick H Weeks ( <a href="https://opengovus.com/new-york-state-employee/Weeks%2C_Frederick_H">https://opengovus.com/new-york-state-employee/Weeks%2C_Frederick_H</a> )	Metropolitan Transportation Authority	Police Officer	\$95,841
Vinny K Pham ( <a href="https://opengovus.com/new-york-state-employee/Pham%2C_Vinny_K">https://opengovus.com/new-york-state-employee/Pham%2C_Vinny_K</a> )	Metropolitan Transportation Authority	Police Officer	\$89,816
Claus G Schmid ( <a href="https://opengovus.com/new-york-state-employee/Schmid%2C_Claus_G">https://opengovus.com/new-york-state-employee/Schmid%2C_Claus_G</a> )	Metropolitan Transportation Authority	Police Officer	\$89,739
Vanessa Parker ( <a href="https://opengovus.com/new-york-state-employee/Parker%2C_Vanessa">https://opengovus.com/new-york-state-employee/Parker%2C_Vanessa</a> )	Metropolitan Transportation Authority	Police Officer	\$85,114
Robby M Anderson ( <a href="https://opengovus.com/new-york-state-employee/Anderson%2C_Robby_M">https://opengovus.com/new-york-state-employee/Anderson%2C_Robby_M</a> )	Metropolitan Transportation Authority	Police Officer	\$83,469
Salvatore Surleti ( <a href="https://opengovus.com/new-york-state-employee/Surleti%2C_Salvatore">https://opengovus.com/new-york-state-employee/Surleti%2C_Salvatore</a> )	Metropolitan Transportation Authority	Police Officer	\$79,936
Kohron H Preddy ( <a href="https://opengovus.com/new-york-state-employee/Preddy%2C_Kohron_H">https://opengovus.com/new-york-state-employee/Preddy%2C_Kohron_H</a> )	Metropolitan Transportation Authority	Police Officer	\$76,282
Daniel C Monahan ( <a href="https://opengovus.com/new-york-state-employee/Monahan%2C_Daniel_C">https://opengovus.com/new-york-state-employee/Monahan%2C_Daniel_C</a> )	Metropolitan Transportation Authority	Police Officer	\$74,662

### Employees with the same position

Name	Authority	Position	Compensation
Stephen O Burns ( <a href="https://opengovus.com/new-york-state-employee/Burns%2C_Stephen_O">https://opengovus.com/new-york-state-employee/Burns%2C_Stephen_O</a> )	Metropolitan Transportation Authority	Police Officer	\$97,034
Maurice A McKay ( <a href="https://opengovus.com/new-york-state-employee/McKay%2C_Maurice_A">https://opengovus.com/new-york-state-employee/McKay%2C_Maurice_A</a> )	Metropolitan Transportation Authority	Police Officer	\$96,295
Frederick H Weeks ( <a href="https://opengovus.com/new-york-state-employee/Weeks%2C_Frederick_H">https://opengovus.com/new-york-state-employee/Weeks%2C_Frederick_H</a> )	Metropolitan Transportation Authority	Police Officer	\$95,841

9/1/2021

Leyland C Crocilla · Police Officer · Metropolitan Transportation Authority

Vinny K Pham ( <a href="https://opengovus.com/new-york-state-employee/Pham%2C_Vinny_K">https://opengovus.com/new-york-state-employee/Pham%2C_Vinny_K</a> )	Metropolitan Transportation Authority	Police Officer	\$89,816
Claus G Schmid ( <a href="https://opengovus.com/new-york-state-employee/Schmid%2C_Claus_G">https://opengovus.com/new-york-state-employee/Schmid%2C_Claus_G</a> )	Metropolitan Transportation Authority	Police Officer	\$89,739
Vanessa Parker ( <a href="https://opengovus.com/new-york-state-employee/Parker%2C_Vanessa">https://opengovus.com/new-york-state-employee/Parker%2C_Vanessa</a> )	Metropolitan Transportation Authority	Police Officer	\$85,114
Robby M Anderson ( <a href="https://opengovus.com/new-york-state-employee/Anderson%2C_Robby_M">https://opengovus.com/new-york-state-employee/Anderson%2C_Robby_M</a> )	Metropolitan Transportation Authority	Police Officer	\$83,469
Salvatore Surleli ( <a href="https://opengovus.com/new-york-state-employee/Surleti%2C_Salvatore">https://opengovus.com/new-york-state-employee/Surleti%2C_Salvatore</a> )	Metropolitan Transportation Authority	Police Officer	\$79,936
Kohron H Preddy ( <a href="https://opengovus.com/new-york-state-employee/Preddy%2C_Kohron_H">https://opengovus.com/new-york-state-employee/Preddy%2C_Kohron_H</a> )	Metropolitan Transportation Authority	Police Officer	\$76,282
Daniel C Monahan ( <a href="https://opengovus.com/new-york-state-employee/Monahan%2C_Daniel_C">https://opengovus.com/new-york-state-employee/Monahan%2C_Daniel_C</a> )	Metropolitan Transportation Authority	Police Officer	\$74,662

## Competitor

### Search similar employees

**Position** Police Officer (<https://opengovus.com/new-york-state-employee?position=Police+Officer>)

**Employer** Metropolitan Transportation Authority (<https://opengovus.com/new-york-state-employee?authority=Metropolitan+Transportation+Authority>)

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**Herzog**

1083 Route 9, Fishkill, NY

## Dataset Information

**Data Provider** New York State, Authorities Budget Office

**Jurisdiction** New York State

This dataset includes 31 thousand employees worked in public authorities of New York State. Public authorities are required by Section 2800 of Public Authorities Law to submit annual reports to the Authorities Budget Office that include salary and compensation data. The dataset consists of salary data by employee reported by State Authorities, Local Authorities, Industrial Development Agencies, Local Development Corporations. Each employee is disclosed with authority name, department, job title, salary, etc.

name, employer, title

Search

9/1/2021

Leyland C Crocilla · Police Officer · Metropolitan Transportation Authority

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lee scornaienchi philadelphia (<https://opengovus.com/philadelphia-property/581091143>)  
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associates l p billings forge preservation (<https://opengovus.com/connecticut-business/1150686>)  
lane situ (<https://opengovus.com/los-angeles-business/0002237904-0001-1>) cf & sons transport llc east hartford ct (<https://opengovus.com/motor-carrier/3657342>)  
hr service group llc (<https://opengovus.com/texas-license/SLSRVC00001200>) dl peterson trust (<https://opengovus.com/delaware-business/1989037729>)

OpenGovUS (<https://opengovus.com/>) · Colorado Businesses (<https://opengovus.com/colorado-business>) ·  
NYS Corporations (<https://opengovus.com/new-york-state-corporation>) ·  
Contact Us ([https://opengovus.com/contact?url=https%3A%2F%2Fopengovus.com%2Fnew-york-state-employee%2FCrocilla%2C\\_Leyland\\_C](https://opengovus.com/contact?url=https%3A%2F%2Fopengovus.com%2Fnew-york-state-employee%2FCrocilla%2C_Leyland_C))

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Premdays.inc 80  
Preprepre1313 96  
prinyahgodiahelbey

Fwd: Your City of New York  
Correspondence Number is  
#1-1-3563178

Yahoo/Inbox ⌂

 Premdays, Inc <premdays.inc@gmail.com>  
To: premdays.inc@yahoo.com

Jan 28 at 4:33 PM



Prinyah godiah nmiaa ⌂  
Payne's el-bey

premdays.inc@gmail.com  
(212) 804-9888  
Edit contact

Inbox 96

Unread

Starred

Drafts 40

Sent

Archive

Span

Trash

▲ Less

Views Hide

Photos

Documents

Deals

Receipts

Groceries

Travel

Folders Hide

+ New Folder

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From: [agencymail@customer.care.nyc.gov](mailto:agencymail@customer.care.nyc.gov)

Date: Wed, Jul 3, 2019 at 7:20 PM

Subject: Your City of New York Correspondence Number is #1-1-3563178

To: [premdays.inc@gmail.com](mailto:premdays.inc@gmail.com) <[premdays.inc@gmail.com](mailto:premdays.inc@gmail.com)>

Thank you for contacting the City of New York. Your message has been forwarded to the appropriate agency for review and handling.

For future reference, your correspondence number is 1-1-3563178

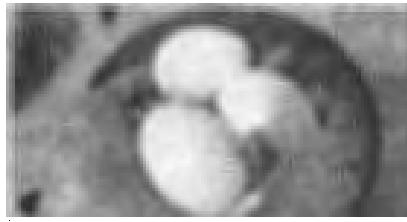
Sincerely,

The City of New York

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(This Is)

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 prinyahgodiahelbey

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 Correspondence Number is  
 #1-1-3563178

Yahoo/Inbox

Prinyah godiah nmiaa  
 Payne's el-bev

premdays.inc@gmail.com  
 (212) 804-8688  
 Edit contact



Premdays. Inc <premdays.inc@gmail.c  
 To: premdays.inc@yahoo.com

Jan 28 at 4:33 PM

Inbox 96  
 Unread  
 Starred  
 Drafts 40  
 Sent  
 Archive  
 Spam  
 Trash  
 ▾ Less  
 Views Hide  
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 Groceries  
 Travel  
 Folders Hide  
 + New Folder

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From: agencymail <agencymail@customercare.nyc.gov>  
 Date: Wed, Jul 3, 2019 at 7:20 PM  
 Subject: Your City of New York Correspondence Number is #1-1-3563178  
 To: premdays.inc@gmail.com <premdays.inc@gmail.com>

Thank you for contacting the City of New York. Your message has been forwarded to the appropriate agency for review and handling.

For future reference, your correspondence number is 1-1-3563178

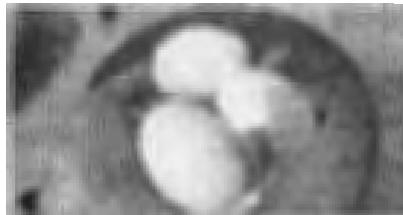
Sincerely,

The City of New York

This is an auto-generated system message. Please do not reply to this message. Messages received through this address are not processed.

Thank you.

This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and



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# Joyner v. The Metropolitan Transportation Authority et al

Allen Joyner

The Metropolitan Transportation Authority, MTA Police Officer Joseph Interdonati, Metropolitan Transportation Authority Police Department, MTA Police Officers John Doe #1-10, MTA Police Officer Leyland Crocilla and MTA Police Officer FNU Lomonaco

1:2021cv00080

January 5, 2021

US District Court for the Southern District of New York

Paul A Engelmayr

Civil Rights: Other

42:1983

Plaintiff

## Docket Report

RSS Track this Docket

This docket was last retrieved on February 26, 2021. A more recent docket listing may be available from PACER.

### Document Text

## Document Text

**Filing 11 NOTICE OF INITIAL PRETRIAL CONFERENCE:** The parties should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key. (And as further set forth herein.) SO ORDERED. Initial Conference set for 4/8/2021 at 02:00 PM before Judge Paul A. Engelmayer. (Signed by Judge Paul A. Engelmayer on 2/26/2021) (jca)

**Filing 10 ANSWER to Complaint.** Document filed by MTA Police Officer Leyland Crocilla(Shield No. 2477, Individually), MTA Police Officer Leyland Crocilla(Shield No. 2477, in his/her Official Capacity), MTA Police Officers John Doe #1-10(in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown)), MTA Police Officers John Doe #1-10(Individually (the name John Doe being fictitious, as the true names are presently unknown)), MTA Police Officer Joseph Interdonati(Shield No. 2481, Individually), MTA Police Officer Joseph Interdonati (Shield No. 2481, in his Official Capacity), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, Individually), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, in his/her Official Capacity), Metropolitan Transportation Authority Police Department, The Metropolitan Transportation Authority..(Preston, Andrew)

**Filing 9 WAIVER OF SERVICE RETURNED EXECUTED.** MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, Individually) waiver sent on 1/22/2021, answer due 3/23/2021; MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, in his/her Official Capacity) waiver sent on 1/22/2021, answer due 3/23/2021. Document filed by Allen Joyner..(Fuchs, Ilyssa)

**Filing 8 WAIVER OF SERVICE RETURNED EXECUTED.** MTA Police Officer Leyland Crocilla(Shield No. 2477, Individually) waiver sent on 1/22/2021, answer due 3/23/2021; MTA Police Officer Leyland Crocilla(Shield No. 2477, in his/her Official Capacity) waiver sent on 1/22/2021, answer due 3/23/2021. Document filed by Allen Joyner..(Fuchs, Ilyssa)

## Document Text

**Filing 7** WAIVER OF SERVICE RETURNED EXECUTED. MTA Police Officer Joseph Interdonati(Shield No. 2481, Individually) waiver sent on 1/22/2021, answer due 3/23/2021; MTA Police Officer Joseph Interdonati (Shield No. 2481, in his Official Capacity) waiver sent on 1/22/2021, answer due 3/23/2021. Document filed by Allen Joyner..(Fuchs, Ilyssa)

**Filing 6** SUMMONS RETURNED EXECUTED Summons and Complaint,,, served. Metropolitan Transportation Authority Police Department served on 1/18/2021, answer due 2/8/2021. Document filed by Allen Joyner..(Fuchs, Ilyssa)

**Filing 5** SUMMONS RETURNED EXECUTED Summons and Complaint,,, served. The Metropolitan Transportation Authority served on 1/18/2021, answer due 2/8/2021. Document filed by Allen Joyner..(Fuchs, Ilyssa)

**Filing 4** ELECTRONIC SUMMONS ISSUED as to MTA Police Officer Leyland Crocilla(Shield No. 2477, Individually), MTA Police Officer Leyland Crocilla(Shield No. 2477, in his/her Official Capacity), MTA Police Officer Joseph Interdonati(Shield No. 2481, Individually), MTA Police Officer Joseph Interdonati (Shield No. 2481, in his Official Capacity), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, Individually), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, in his/her Official Capacity), Metropolitan Transportation Authority Police Department, The Metropolitan Transportation Authority..(sj)

CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Paul A. Engelmayer. Please download and review the Individual Practices of the assigned District Judge, located at  
[#https://nysd.uscourts.gov/judges/district-judges](https://nysd.uscourts.gov/judges/district-judges). Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at  
[#https://nysd.uscourts.gov/rules/ecf-related-instructions..\(sj\)](https://nysd.uscourts.gov/rules/ecf-related-instructions)

## Document Text

Magistrate Judge Barbara C. Moses is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link:

#<https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>. (sj)

Case Designated ECF. (sj)

**Filing 3** CIVIL COVER SHEET filed..(Fuchs, Ilyssa)

**Filing 2** REQUEST FOR ISSUANCE OF SUMMONS as to THE METROPOLITAN TRANSPORTATION AUTHORITY, METROPOLITAN TRANSPORTATION AUTHORITY POLICE DEPARTMENT, MTA POLICE OFFICER JOSEPH INTERDONATI, Shield No. 2481, MTA POLICE OFFICER FNU LOMONACO, Shield No. 2470, MTA POLICE OFFICER LEYLAND CROCILLA, Shield No. 2477, re: #1 Complaint, ,,. Document filed by Allen Joyner..(Fuchs, Ilyssa)

**Filing 1** COMPLAINT against MTA Police Officer Leyland Crocilla(Shield No. 2477, Individually), MTA Police Officer Leyland Crocilla(Shield No. 2477, in his/her Official Capacity), MTA Police Officers John Doe #1-10(in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown)), MTA Police Officers John Doe #1-10(Individually (the name John Doe being fictitious, as the true names are presently unknown)), MTA Police Officer Joseph Interdonati(Shield No. 2481, Individually), MTA Police Officer Joseph Interdonati (Shield No. 2481, in his Official Capacity), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, Individually), MTA Police Officer FNU Lomonaco((the name FNU being fictitious as the true first name is presently unknown), Shield No. 2470, in his/her Official Capacity), Metropolitan Transportation Authority Police Department, The Metropolitan Transportation Authority. (Filing Fee \$ 402.00, Receipt Number ANYSDC-23361169) Document filed by Allen Joyner..(Fuchs, Ilyssa)

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**Defendant: The Metropolitan Transportation Authority**

Represented By: Andrew Kenneth Preston

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**Defendant: MTA Police Officer Joseph Interdonati**

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**Defendant: Metropolitan Transportation Authority Police Department**

Represented By: Andrew Kenneth Preston

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**Defendant: MTA Police Officers John Doe #1-10**

Represented By: Andrew Kenneth Preston

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**Defendant: MTA Police Officer Leyland Crocilla**

Represented By: Andrew Kenneth Preston

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Search Web [ Unicourt | Justia Dockets | Legal Web | Google | Bing | Yahoo | Ask ]

**Defendant: MTA Police Officer FNU Lomonaco**

Represented By: Andrew Kenneth Preston

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9/1/2021

Joyner v. The Metropolitan Transportation Authority et al 1:2021cv00080 | US District Court for the Southern District of New York | Justia

**Plaintiff: Allen Joyner**

Represented By: Ilyssa S Fuchs

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## General Emergency Department Discharge Instructions (continued)

It is important that you keep appointments that may have been scheduled. If you are unable to make an appointment, please call the corresponding clinic to reschedule your appointment.

### Instructions

#### Your medications have changed



- START taking:

Ibuprofen (ADVIL, MOTRIN)

Review your updated medication list below.

#### Home Medication Information

The list of your home medications is based on the information provided by you (or your representative) during your Emergency Department visit, and/or the information contained in your medical record. In addition, some of your home medications **may have been changed** by the Emergency Department provider who evaluated you. These changes may include:

- New medications
- Changes to the amount or how often you take a medication
- Discontinuation of a medication

Please review the information below carefully. Continue all your current medications as you are presently taking, with the exception of the following changes below. If you have questions about any of the medications or the changes, please contact your Primary Care Physician, the Provider who prescribed the medication, or your Pharmacist.

### Acknowledgement of Discharge Instructions

- I understand the treatment received during this visit was provided on an **emergency basis only** and is not meant to be a replacement for ongoing medical care. I also understand the information provided in these discharge instructions, **including follow up information**, should be followed in order to ensure proper ongoing treatment of my complaint/diagnosis.
- A member of the Emergency Department staff has reviewed the discharge instructions provided to me and has answered any questions I may have had regarding these instructions.

Patient/Representative Signature

Relationship to Patient

Date

Time

Witness

Date

Time

EI-Bey Clermontine  
CSN: 33247024  
DOB: 4/18/1993  
female  
MRN: 4040258  
Adm Date: 1/9/2020





Gmail



Compose

Inbox

1

(no subject) Inbox x

Starred



Oribyah Godiah NMIAA Payne's El-Bey

Snoozed

to me

Sent

I was attack at Penn State 34 street 7 Ave by mta police offi and harrass and touch certain places several times by office in P A so i asked her csn i bri g her the holidays gift i got for friend whom work at Penn station Jenny. Several complaint properties of mine lefts also that officer called 911 tried to l her to give to her father for me since she works 11/7 am afte grabbed me an handcuff after he called another officer over, him to instagram and block him from harrassing mw here als orman book i was reading that i had my December investme He an the othee offer that was

Drafts 39

in the elevator told me that "I can rapped you a kills you and including his sergeant major him told meif I don't stop screat #2477 push me broke my wheel dragged out from the eleva was secen white against a none white person . Those hite n violete my rights. Officer crocilla say your were brought as a with my social security card is gone #me2movement @me: @nycmayoroffice @nycmayor @nyc311 @nyc\_311 @nyc3



Premdays.



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**New York City Transit**  
Department of Law

## **Claim Against NYC Transit for Personal Injury**

Your notarized claim must be filed either **personally** or by **registered** or **certified mail** within 90 days from date of accident at the office of the New York City Transit Authority, 130 Livingston Street, 10th Floor, Brooklyn, New York 11201-5109 (if your claim is not settled, you have one year and 90 days from the date of accident to commence a lawsuit).

**TO THE NEW YORK CITY TRANSIT AUTHORITY:**

I herewith present my claim against the NYC Transit Authority for personal injuries sustained in the following manner:

Claimant's Name (print)

Pringah Godiah 7/11/11 pay me 5 E1 Day

Social Security No.

Age 26

Claimant's Full Address

40 Ann Street

City

New York

State

NY

Apt. No. 231

Home Phone No.

(734)9 99-7318

Business Phone No.

Zip 10033

Claimant's Occupation

Disable

Date of Accident

January 3, 2020

Time

Between 10A / 2P

AM / PM

Location of Accident

34 Street Penn Station

Borough

NYC

Direction

West

State Whether:

Subway

Elevated Line

Bus

34 st

Other

Car or Bus No.

Direction

Operator's Name / Badge No.

Description of Accident

Witnesses to Accident—Names and Addresses

My Injuries Consisted of

Name and Address of Doctor

Name and Address of Hospital, if any

Bellevue Hospital then Lenox Hospital

Amount of Hospital Expenses

Medical Expense

lost Earnings

Other Expenses

ated

sworn to before me this

day of

April 19 2020

CHRIS RAMIREZ

NOTARY PUBLIC-STATE OF NEW YORK

No. 01RA6227971

Notary Public

Commissioner of Deeds

Qualified in New York County

My Commission Expires 09-07-2022

(Signature of Claimant)

Rynah Godiah

Mrs

Pringah



**New York City Transit**  
Department of Law

## **Claim Against NYC Transit for Property Damage**

Your notarized claim must be filed either **personally** or by **registered** or **certified** mail within 90 days from date of accident at the office of NYC Transit, 130 Livingston Street, 10th Floor, Brooklyn, New York 11201-5109 (if your claim is not settled, you have one year and 90 days from the date of accident to commence a lawsuit).

**TO NYC TRANSIT:**

I herewith present my claim against NYC Transit for property damage sustained in the following manner:

Claimant's Name (print) *Mirjiah Sodiqah M. Alayyan* Social Security No. \_\_\_\_\_ Age \_\_\_\_\_  
 Claimant's Full Address *40 Penn St #1004* Apt. No. *2B1*  
 City *NYC* State *NY* Zip *10036*  
 Home Phone No. *(781)999-7318* Business Phone No. \_\_\_\_\_  
 Date of Damage *January 8 2020* Time *10:15 AM* AM / PM \_\_\_\_\_  
 Place of Accident *34th St 7th Av Penn Station* Borough *NYC*  
 State Whether: Subway \_\_\_\_\_ Elevated Line \_\_\_\_\_ Bus \_\_\_\_\_ Other \_\_\_\_\_  
 Car or Bus No. \_\_\_\_\_ Direction \_\_\_\_\_ Operator's Name / Badge No. \_\_\_\_\_

If your automobile or truck was involved, please provide the following information regarding your vehicle:

Name and Address of Registered Owner \_\_\_\_\_  
 Your Plate No. \_\_\_\_\_ Year and Make \_\_\_\_\_  
 Name of Driver \_\_\_\_\_ Driver's License No. \_\_\_\_\_  
 Driver's Address \_\_\_\_\_

If Damage is to Property Other Than a Vehicle, Specify Type of Property \_\_\_\_\_

Description of Accident \_\_\_\_\_

Description of Damage *I was illegal hold freight cars out of elevator by MTA*

*On January 8 2020 when I visit*

*MTA elevator when work 10 person station Ballroom for take up*

Names and Addresses of Passengers in Auto or Truck \_\_\_\_\_

Names and Addresses of Witnesses to Accident *Mirjiah Sodiqah M. Alayyan*

Estimated / Actual Cost of Repairs (attach Itemized Statement) \$ \_\_\_\_\_ Collision Insurance? \_\_\_\_\_

Company Name / Policy No. \_\_\_\_\_ Has Claim Been Made against Company? \_\_\_\_\_

Any Prior or Subsequent Accidents \_\_\_\_\_

Date \_\_\_\_\_

worn to before me this

day of April 2020

CHRIS RAMIREZ

(Signature of Claimant)

NOTARY PUBLIC STATE OF NEW YORK  
 Notary Public No. 01RA6227971  
 Commissioner of Deeds  
 Qualified in New York County





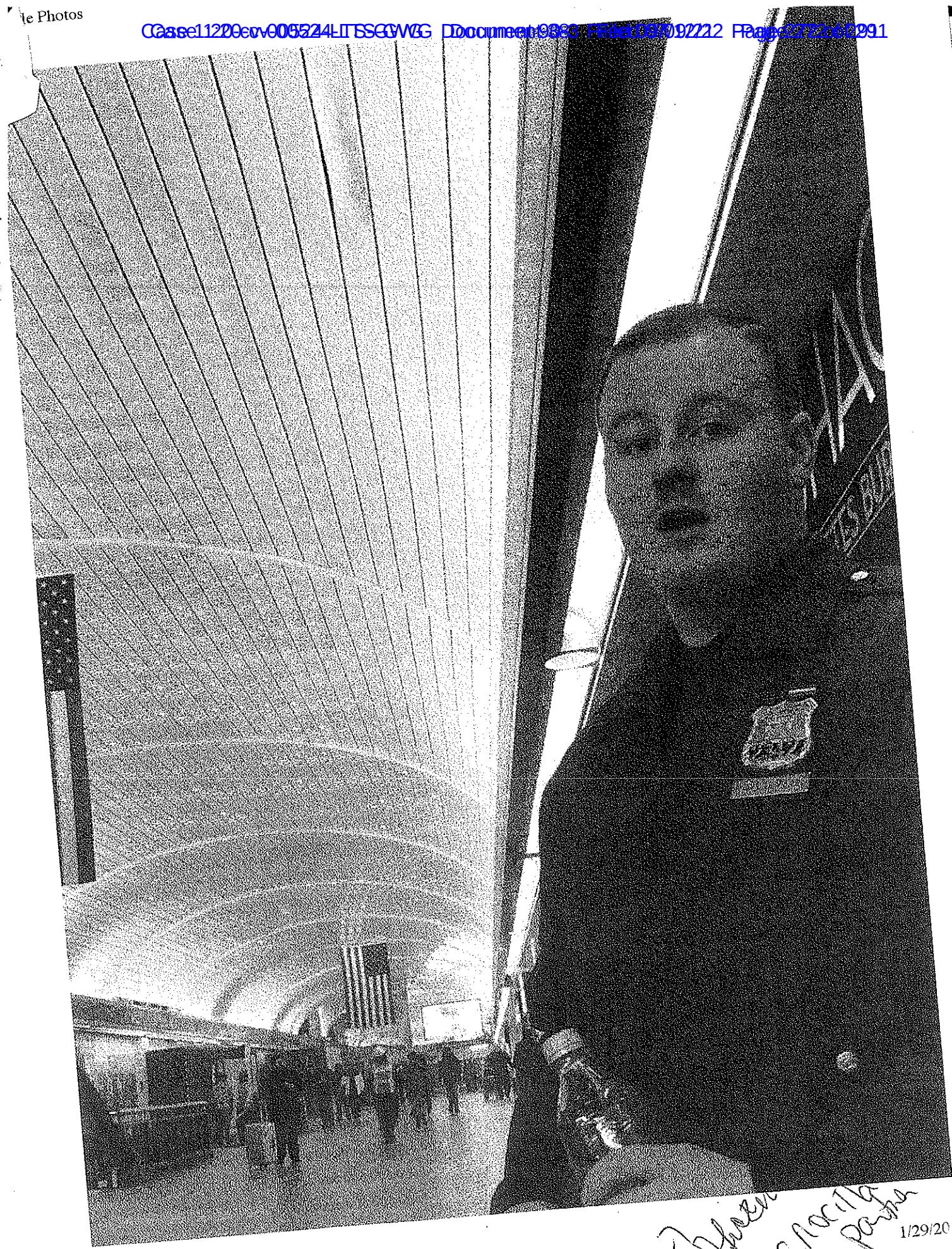


Cassel11200env0059244HTS20WIG Document19383 Filed09/02/22 Page2700612991





Couldn't play motion



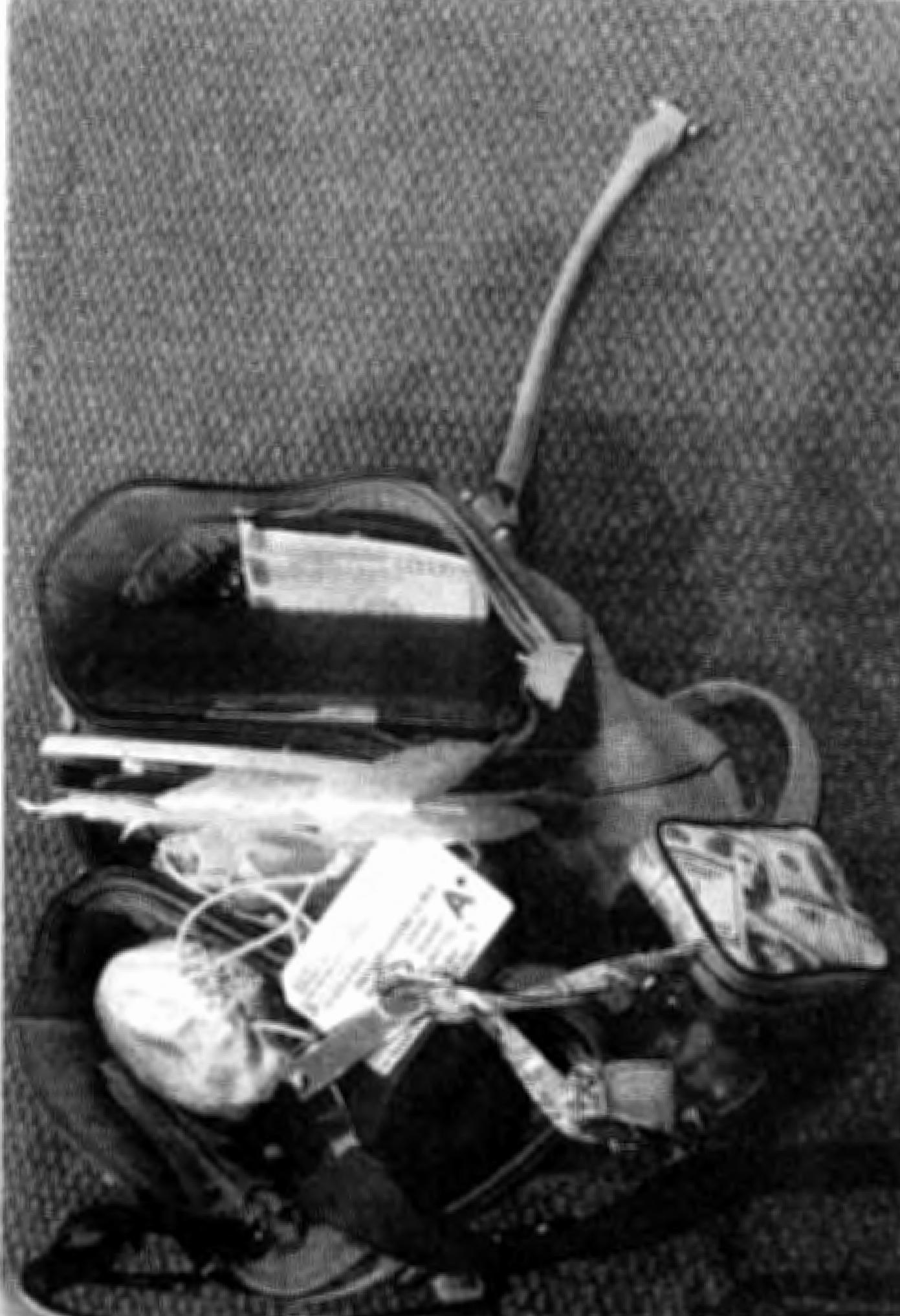
2 Phoenix  
Charita Parker  
1/29/20







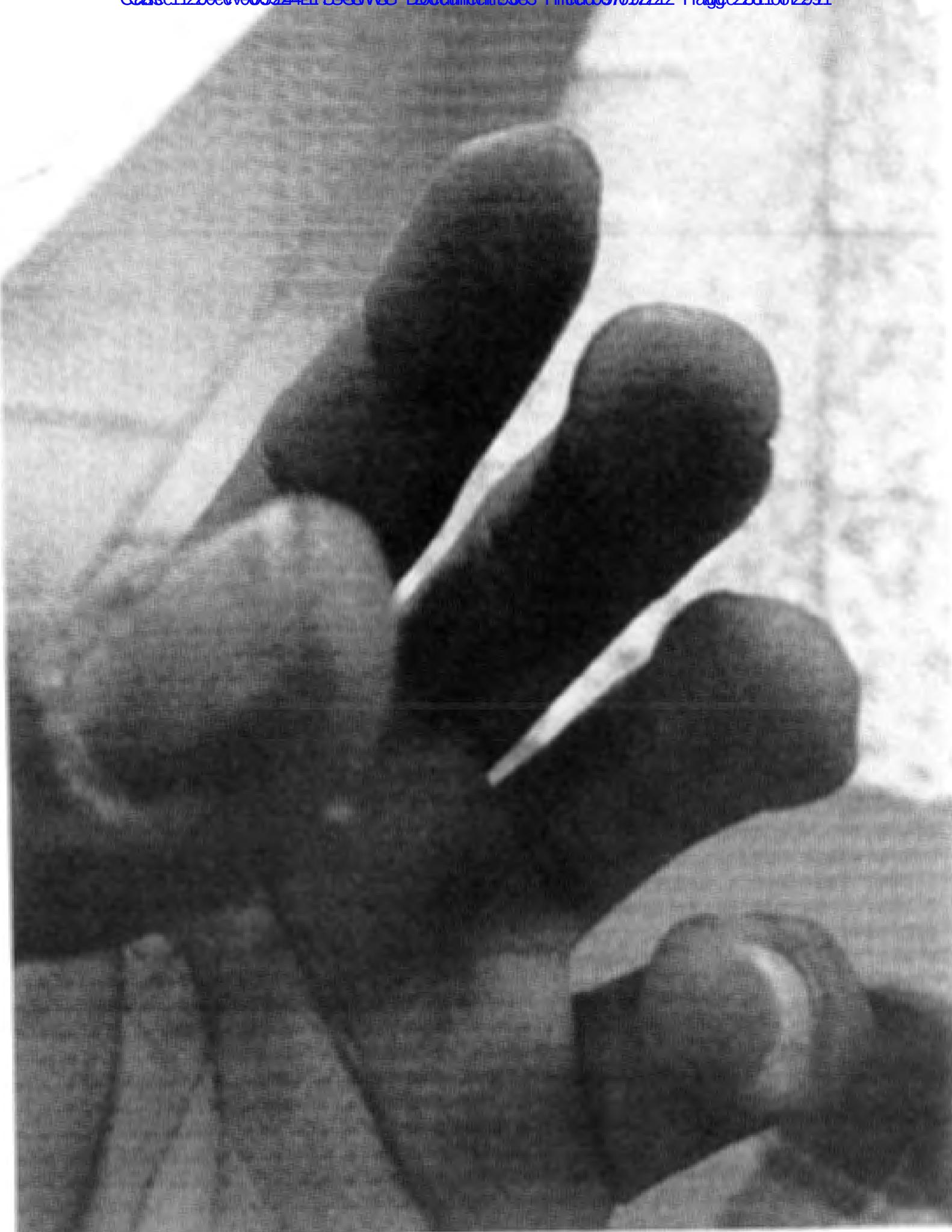


















New York City Transit

## ***Customer Assistance Record of Information Received***

## **ions Support ner Relations**

Ported  
10/20  
corded  
2/4  
ad by  
*Frank Peleg*  
*Sykes*  
M 18394

Customer's Name	NMIAA Kenyah Godiah Payne's El-Bey		
Address	40 Ann street #2B-A		
City	State	Zip Code	
NY	NY	10038	
Telephone No.	(212) 804-8688	(75H) 999-7318	Is this a mobile phone? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Ref. No.**

- 1 Complaint
- 2 Commendation
- 3 Suggestion
- 4 Accident Report
- 5 Delay Verification
- 6 Refund Requested
- 7 Other

- Phone Call
- Letter
- Visit
- Email

Premdays, Inc @ gmail.com

### Description of Incident, Suggestion or Commendation

Rapid Transit Surface Carry	Date		Route	Vehicle or Booth No.	Directions <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> Other	Station/Bus Stop/Intersection
	Time	a.m. p.m.				

- Alleged Assault by Employee
- Closed Doors on Passengers
- Failure to Act Against Fare Evasion
- Failure to Announce Delay/Route
- Failure to Assist Passenger or Call Police
- Failure to Identify Self or to Display Badge
- Passengers Discharged
- Reckless Driving
- Refused to Accept Sr. Citizen/Disability ID
- Rudeness
- Shortchanging
- Transfer or Block Ticket Dispute

- Bus Bunching
- Bypassing
- Delays
- Express Bus Off Schedule
- Locked Turnstile
- Long Headways
- Overcrowding
- Poor Connections
- Toilets

**Equipment**

- Defective Heating/Cooling (circle)
- Defective Lighting
- Defective Turnstile
- Leaks/Puddles (circle)
- Failure to Announce Delay/Route
- Littered Car/Bus/Station (circle)
- Odors in Station
- Rats/Roaches (circle)
- Seats Dirty/Wet (circle)

- Derelicts
- Disorderly Passengers
- Fare Evasion
- Graffiti
- Insufficient Police Coverage
- Passenger Assaulted or Robbed

## Miscellaneous

Employee's Description	Badge#	2477.
MTA Police Officer Cecilia		

**Please be Aware:** In the event our investigation results in disciplinary action against the NYC Transit Employee, it may be necessary for you to testify at an administrative hearing to sustain the charges. If it becomes necessary, would you be willing to testify?  Yes  No

**Substance of Report** Since July 2018 I have Complainant after Complainant NTA Police Officer Mr. Crocilla Badge #2477. The first time he spoke to me he told me "He dream: fuck a Black NIGRO. Bitch file me on wheelchair, call 311 file a complaint. I call 311 file a complaint" put his Statement at pmp station on November 2018 then I went visit my friend Jenny whom work for FEP for visiting the female bathroom her dad is dying from cancer. I left the bathroom office Crocilla in with another 11.11.18 when as I was wheeling my wheelchair



New York City Transit

Operations Support  
Customer Relations**Customer Assistance Record of Information Received**

Date Reported	1/10/20
Time Recorded	4:45 p.m.
Received by	Frank Pucci
Name	Frank Pucci
Title	Supervisor
Pass #	M183

Customer's Name	Y.M.AA
Address	Royal Social page's El-Bey 40 Ann street # 2B1
City	NY
State	NY
Zip Code	10038
Telephone No.	(212) 804-8688 (2) 9997378
Is this a mobile phone?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

Ref. No.

- 1 Complaint
- 2 Commendation
- 3 Suggestion
- 4 Accident Report
- 5 Delay Verification
- 6 Refund Requested
- 7 Other

Phone Call

Letter

Visit

Email

EMAIL	freemdaysinc@gmail.com
-------	------------------------

**Description of Incident, Suggestion or Commendation**

<input type="checkbox"/> Rapid Transit	Date	Route	Vehicle or Booth No.	Directions	Station/Bus Stop/Intersection
<input type="checkbox"/> Surface	Time	a.m.		<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> Other	
<input type="checkbox"/> Other		p.m.			

Personnel

- Alleged Assault by Employee
- Closed Doors on Passengers
- Failure to Act Against Fare Evasion
- Failure to Announce Delay/Route
- Failure to Assist Passenger or Call Police
- Failure to Identify Self or to Display Badge
- Passengers Discharged
- Reckless Driving
- Refused to Accept Sr. Citizen/Disability ID
- Rudeness
- Shortchanging
- Transfer or Block Ticket Dispute

Equipment

- Defective Heating/Cooling (circle)
- Defective Lighting
- Defective Turnstile
- Leaks/Puddles (circle)
- Failure to Announce Delay/Route
- Littered Car/Bus/Station (circle)
- Odors in Station
- Rats/Roaches (circle)
- Seats Dirty/Wet (circle)

Service

- Bus Bunching
- Bypassing
- Delays
- Express Bus Off Schedule
- Locked Turnstile
- Long Headways
- Overcrowding
- Poor Connections
- Toilets

Miscellaneous

- Derelicts
- Disorderly Passengers
- Fare Evasion
- Graffiti
- Insufficient Police Coverage
- Passenger Assaulted or Robbed

Employee's Description	Badge#
Officer Crocilla	2477
Officer Crocilla	

Please be Aware: In the event our investigation results in disciplinary action against the NYC Transit Employee, it may be necessary for you to testify at an administrative hearing to sustain the charges. If it becomes necessary, would you be willing to testify?  Yes     No

Substance of Report

Officer Crocilla have been harassing me since January 8 2020 I went to visit my friend Jenny whom work for Fedex. I seen Officer Crocilla was driving his car after I drop the package to his father. I left the bathroom, as I turn the corner Officer Crocilla pull his blazer on turn his car right in my eye. He reach out grab my t-shirt & start screaming he left the bathroom block me so if his car pick up my wheel chair from the back & dropped me when I started to scream he told me a disturbing lie people he called another officer over he drove my wheel chair so best way off

Action Taken - Referred to (Dept. & Person)

.... my job, I was in elevator when me & my  
wheelchair I fell onto of my purse then I  
cut my purse that was wrapped around me hand  
Song inside looking into my personal properties  
then he kick me when he did I realized those  
two officer inside this elevator could help  
me, cause they kept saying you have no help  
as I scream for help for 911. after he kick  
me he open my wallet took my Florida  
Driver License, my SS# Card, copy of my medical  
record I got that I had to renewed my pacifier  
with access in the doctor file out the paperwork  
he took that, he took my access in health evalua  
that and he took my personal check book  
after I scream and screams inside the elevator  
they were laughing they trashed me from  
the elevator to the street while hand-cuffs they  
put me to sit on top of ~~the~~ hand cuff that  
was so tight my wrist start bleeding & ask  
for ambulance when ambulance arrived there  
were 3 other officer MTA there one was a  
Sergeant in white shirt telling me to Sh  
the fuck off before he pull out his light p  
it in my mouth I kept screaming people pass  
By looking no one come to help when the ambu  
lance told them am paraplytic the guy laugh out  
how just I got into the floor told him officer  
you call a they threw me out of my wheelchair in me

crocilla told them make see she sit on he  
 hand cuff, I was screaming in pain he put his  
 feet on my chest then the other officer  
 whom was with ~~the~~ him inside the elevator  
 sat in the ambulance while my William E.  
 Stoffs was search by the rest of his crew  
 the guy from the ambulance said those damned  
 afroic Negro African American here &  
 made so Officer Crocilla partner ride in  
 the ambulance with me while Officer Crocilla  
 follow like I was a Criminal, when got at he  
 they put tape in my mouth so I wouldn't speak  
 they brought me to PSYCH unit when got  
 there told the Doctor what happen she said  
 my worst bledy asked them to remove it  
 leave, PSYCH discharge me right then &  
 then to medical told them this guy  
 got in & below in PSYCH she is bleed  
 I was then transfered to medical after treated  
 Monday because I have a drop hill to be  
 chest flat know Hill Monday AS in my  
 manager knew & I got release Day 10 2020  
 @ 11:45 AM from Lenox Hill was told to

internal affair few days later got a call from a gentleman whom said he was a Sergeant he left me a voice message at my (646) # and the gentleman said he name was Sergeant Hussein his # is (212) 878-1182, (646) 252-52 we met and he took 2 copies of my recording video's. the next day the elevator broke where I needed to get off so the next stop was 34 pem were elevator is I can cross over go back & in order to used the elevator to cross over so I can get off to the train station needed too, while I was getting across he show off he said Premdays, I never gave this officer my name so I ignored him then he said back in the old days White men in Rapes Negroes Bitches like yourself it was pride for them, fine by that society now Negroe wants Reparation I wants to Show you Negro with my white Dick as he grab his pants, I ignored him and two old white lady show up got in the elevator at the A line pem station he left. also I call the Sergeant Hussein gave him the video after that I've done everything possible is to not goes to that train station. He then started posted threats on my Instagram, I reached to Instagram file complaints against him, he even send me his picture in my Instagram account Instagram finally block him from reach out to me. He on January 8, 2020 Jenny Call me told me she's working 11pm till 7AM after that she's setting in the bus to go visit her father whom sick dying with Cancer I told her I will come to see but I have class but I have the Holiday gifts sent your dad can you please give it to him for me I will do more if not after class so much plan

Officer Smoking Cigarette Right in front of the elevator, I pull out my phone Android Camera start recording then ~~Just in Case~~ as I get thru by them in order to ~~get into~~ the elevator I Was able got into ~~the elevator~~ made my way into the bathroom ~~so there~~ they told me into the bathroom ~~late~~ so I decided to let Jenny was running a Chinese apple to kill the time Jenny finally show up around 11:20 / 11:30pm. We talked for a while and I gave her the gifts for her dad. As I was leaving the female Bathroom turning the corner officer MTA Croceilla Blanks four times his police car so Bright in my eyes I couldn't see all I told myself grab my phone & Start record he then came so closed push me against the wall GRABBED my right & Slap his hand when I did he told me Bitch you should never disobeience an officer touching you and I can touch you anywhere I want I dream of fucking an negro bitch like you, I Start screaming loud for help then he left he turns around park his car right in front of me talking saying I can Rap you & kill you no one will know I have been doing this for long no one will know I have been doing this for long long time & I get away with Shit he blocks me from moving so I was force to pack my wheelchair he then grabbed my wheelchair from the back lift it and dropped it I Start screaming leave me alone he then call over another one officers of his says an disturbing the peace I done fall am trying not to fall

Case#112006cv0058244-ITSSEGWCG Document#9883 Filed#097092222 Page#299 of 12291  
, me & my things were on the floor after my purse  
Strap that was around me start So I took to my  
Personal Property when I was on the floor I saw  
Officer Crocille took my Check Book, My Florida  
Driver License with my home Florida in it, my SSN,  
My German Books Women with money that have copies of  
my Bank Statement inside it he took it, copy of my  
valuations that my Doctor did for me for access-  
I took that, they also destroy my wheelchair.

(cont page 1)

NYA/NYC TRANSIT AUTHORITY  
Customer Service Department  
Customer Service  
Received  
2010 Jan 10 PM 6:54

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